

PART 2

Project Management

Chapter 13

Project Delivery (Construction
administration)

Locally Administered Projects (LAP) Manual

[Updated](#)

Chapter 13

PROJECT DELIVERY

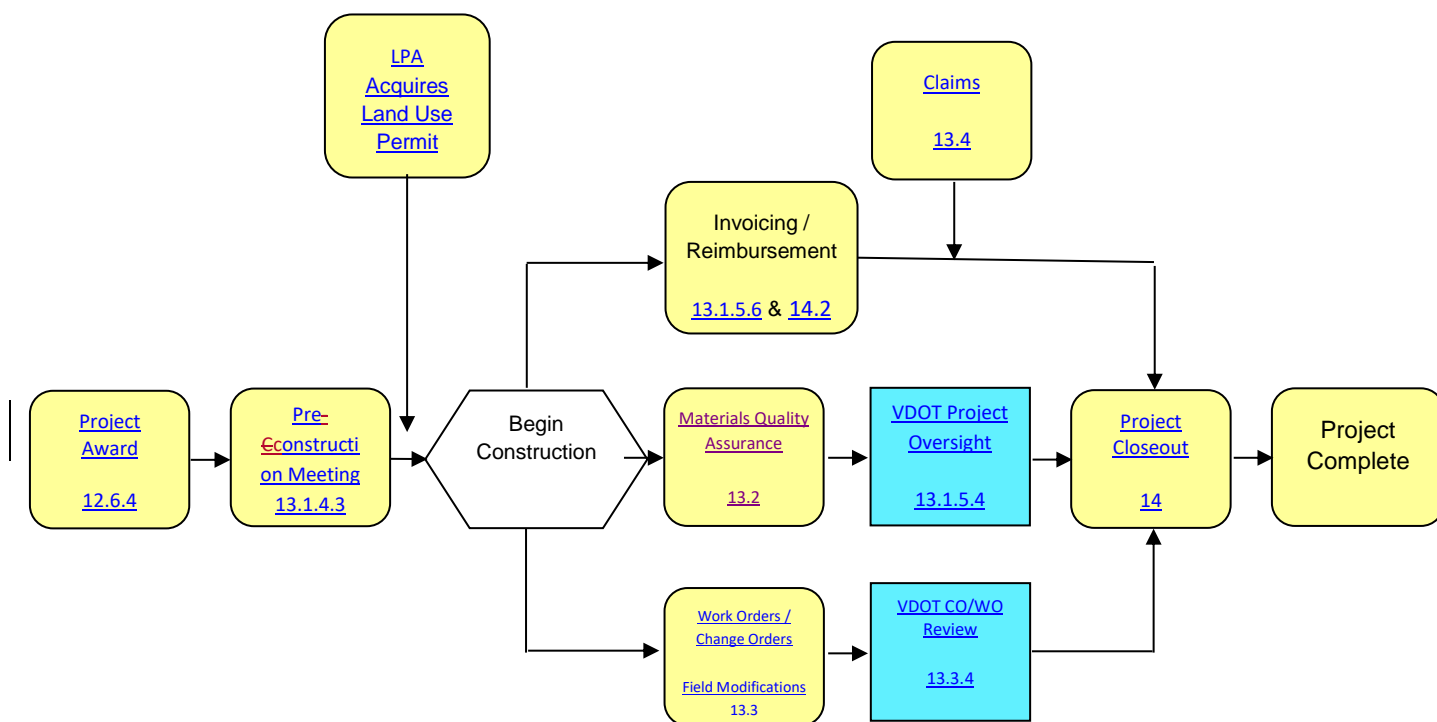
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13.1 CONSTRUCTION ADMINISTRATION AND MATERIALS QUALITY ASSURANCE



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13.1.21 Applicability

<u>Applicability</u>		
<u>Federal aid</u>	<u>State aid / VDOT Maintained**</u>	<u>State aid / LPA Maintained</u>
<u>X*</u>	<u>X</u>	<u>-</u>

* All federal aid projects and projects developed to qualify for federal aid

** All projects to be maintained by VDOT, except as noted

13.1.12 Introduction

Construction administration is the overall management of all ~~construction~~ activities associated with a construction project and is the responsibility of the LPA. Effective construction administration ensures necessary to ensure the completion of a high quality product-project meeting that meets all contract specificationsrequirements, and applicable federal, state, and local laws and regulations. ~~Construction administration is the responsibility of the LPA through its Construction Project Engineer.~~ LPAs and their contractors are responsible for compliance with all applicable federal, state, and local laws and regulations, including, but not limited to, occupational health and safety, environmental compliance, and equal employmentcivil rights policy. VDOT performs oversight on construction administration activities based on project complexity and risk.

13.1.2 Applicability

<u>Applicability</u>		
<u>Federal aid</u>	<u>State aid / VDOT Maintained**</u>	<u>State aid / LPA Maintained</u>
<u>X*</u>	<u>X</u>	<u>-</u>

* All federal aid projects and projects developed to qualify for federal aid

** All projects to be maintained by VDOT, except as noted

13.1.3 ~~Summary~~ Roles and Responsibilities

LPAAs are fully responsible for the administration of their projects and are required to ~~provide~~ identify qualified staff to perform construction administration activities. As identified in Chapter 3, the LPA must provide and identify:

- A Responsible Person is a full time local government employee responsible for the project.
- The LPA Project Manager (LPA-PM) is responsible for all federal and state regulations applicable to highway construction projects are met. This individual may be different from the Responsible Person and the Responsible Charge Engineer (RCE) and may be contracted by the LPA
- The LPA Responsible Charge Engineer (LPA-RCE) must also provide is a professional engineer, licensed in Virginia, with direct and personal supervision of engineering work during construction of the project. This individual may be contracted by the LPA.
- ~~Unless otherwise established in the project administration agreement, t~~ The LPA is also responsible for providing adequate construction engineering inspection to ensure that the project is constructed in accordance with the contract documents. Also, the LPA's responsibility includes maintaining sufficient documentation to demonstrate that this has been accomplished. VDOT offers a comprehensive library of construction, inspection, and materials documents guidance ~~that are available for LPA use as appropriate as a resource.~~

Federal law ~~provides~~ allows that VDOT ~~may allow the~~ to delegate construction administration of a federally eligible contracts to LPAs, LPA to perform construction administration for a federal aid contract; however, VDOT is not relieved of overall project responsibility. VDOT must provide reasonable assurance to FHWA that all federal requirements resulting from the acceptance of federal aid are met and that the

LPA is adequately staffed and suitably equipped to undertake and satisfactorily complete the work. VDOT construction oversight responsibilities will be managed by:

- VDOT Area Construction Engineer (VDOT ACE) is typically the VDOT employee that will be responsible for LPA Administered projects under construction; however, the District Administrator has discretion to assign that role to other appropriately qualified district staff.
- VDOT Construction Project Monitor (VDOT CPM) may be assigned by the VDOT ACE to oversee and serve as the primary point of contact to the LPA during project delivery

For state funded (not federally eligible) projects, State law does not specifically provide such an oversight requirement; however, VDOT has a responsibility to ensure funds provided to LPA sub-recipients are appropriately spent. and, in the case where VDOT will ultimately maintain the project after construction is completed, VDOT has a vested interest in the quality of workmanship and materials used for the project.

VDOT's oversight role is not to duplicate the actions or responsibilities of the locality; rather, it is to ascertain whether or not the construction project is being performed in accordance with the contract documents and applicable federal and state laws.

~~Construction administration actually begins prior to the advertisement of the construction project, with the development of bid and contract documents, and, depending on the project's complexity, includes close coordination with VDOT representatives. Considerations regarding materials sources, off-site testing of materials, cost associated with third party Quality Assurance structural materials fabrication inspection (see Table 1 in section 13.2.3), costs for VDOT oversight, civil~~

rights, and environmental monitoring are but a few of the issues that should be discussed while preparing for advertisement, usually in a pre-advertisement meeting.

~~VDOT's Construction and Inspection Manuals and the Materials Manual of Instructions are the primary resources for LPAs during construction administration. Conformance to the quality assurance and inspection requirements listed in these Manuals is necessary for all federal aid projects and projects to be maintained by VDOT, except as otherwise noted within this Manual.~~

~~When there are significant deviations from these requirements, the LPA must fully document the nature of the deviation and how quality assurance and contract conformance was assured, unless previous concurrence has been obtained from the VDOT Area Construction Engineer (ACE) or designee.~~

VDOT Responsibilities:

- ~~• Prior to advertisement of the project, the VDOT Project Coordinator will contact the VDOT ACE or designee and inform him/her of the upcoming advertisement. *The ACE is typically the VDOT employee that will be responsible for LPA Administered projects under construction; however, the District Administrator has discretion to assign that role to other appropriately qualified district staff. The ACE will typically assign a primary VDOT contact for the project delivery (construction) phase of the project. This person is referred to as the VDOT Construction Project Monitor and is designated throughout this manual as "VDOT CPM"*~~
-

The assigned VDOT ACE or CPM will also:

- ~~• Establish-Determine an appropriate level of oversight in accordance with the Guidance provided in Appendix 13.1-B of this chapter. Based on this oversight determination, provide the LPA with a cost estimate for VDOT's oversight prior to advertisement. The estimate should~~

include general oversight as well as any quality assurance testing and inspections performed by VDOT.

- ~~• Attend any pre-advertisement meeting and discuss the determined level of oversight with the LPA.~~
- Facilitate any discussions between other VDOT disciplines and the LPA.
- ~~• Develop a cost estimate detailing necessary project oversight costs, off site quality assurance and inspections by discipline, and provide to the LPA. The cost estimate should match the VDOT budget for construction identified in the Project Administration Agreement unless the project scope has changed.~~
- Obtain a copy of the executed construction contract between the LPA and the contractor; and upload to iPM ProjectWise.
- Monitor VDOT oversight budget. If the VDOT oversight costs exceed the budget, the VDOT ACE or CPM will notify the locality and the VDOT Project Coordinator of the increase and provide a new budget. PCES and the Appendix A should be updated to reflect the new amount.

~~After project advertisement, the VDOT CPM will be the primary project contact for the LPA.~~

13.1.4 Pre-~~C~~construction Activities

Construction administration begins prior to the advertisement of the project. Below are some key areas that impact the success of your project.

Bid and Contract Development - Chapter 12.6.4 provides an in-depth look at the requirements needed when developing a bid proposal and contract documents. The development of these documents should include close coordination between the LPA and VDOT representatives.

Biddability Review - The primary goal of the this review is to ensure that all elements of work identified in the final design plans and contract documents are accurately included in the Engineer's Estimate, fully considered in the Contract Time Determination Report (CTDR), and properly referenced in the contract. See Chapter 12.2.5.11 for additional details.

Construction Estimate - The construction estimate is also impacted by a number of construction administration factors and should be included in the oversight estimate. LPAs should take into account construction duration, availability of labor and materials, any materials that will require off-site testing, third party Quality Assurance for structural materials fabrication inspection (see Table 1 in section 13.2.3), VDOT oversight, civil rights requirements, and environmental monitoring. **VDOT's Construction and Inspection Manuals and the Materials Manual of Instructions are the primary resources for LPAs during construction administration. Conformance to the quality assurance and inspection requirements listed in these Manuals is required for all federal aid projects and projects to be maintained by VDOT, except as otherwise noted within this Manual.** Deviations from these requirements must receive prior approval from the VDOT Area Construction Engineer (ACE) or designee.

Constructability Reviews – LPAs should perform these reviews during development to identify issues that contractors may encounter constructing the project as designed. The emphasis is on how the project will be constructed and how traffic will be maintained throughout construction. See Chapter 12.2.5.11 for additional details.

13.1.4.1 Project Bonding and Land Use Permits

Project Bonding

Within 15 calendar days after notification of award of the contract, the successful bidder shall furnish the following bonds for contracts in excess of \$250,000 (~~for the threshold amount for~~ state funded, locally maintained projects, ~~threshold amount for bonds are is~~ \$350,000). LPAs may require bonds for contracts of lesser value as deemed appropriate by the LPA:

- A performance bond, ~~no less than the sum of the contract, in the sum of the contract or other amount satisfactory to the LPA,~~ conditioned upon the faithful performance of the contract in strict conformity with the plans, specifications and conditions of the contract.
- A payment bond, ~~no less than the sum of the contract, in the sum of the contract or other amount satisfactory to the LPA. The bond~~ shall be for the protection of claimants who have and fulfill contracts to supply equipment, labor or materials to the prime contractor to whom the contract was awarded, or to any ~~Subsub-~~ contractors, in continuance of the work provided for in the contract, ~~and The bond~~ shall be conditioned upon the prompt payment for all equipment provided, materials furnished or labor supplied ~~or~~ performed in the furtherance of the work.

The bonds shall be in forms satisfactory to the LPA.

Land Use Permits

A LPA must secure a land use permit from VDOT ~~Before the LPA or their contractor can may~~ begin work on a VDOT maintained roadway. ~~that is maintained by VDOT as part of the interstate, primary, or secondary system of highways, it must secure a land use permit from VDOT.~~ This permit is issued through the VDOT Residency or District Land Development Office and is usually issued at no cost. ~~In these cases, the costs associated with VDOT inspection/oversight are addressed in the Project Administration Agreement.~~

The Land Use Permit also requires a performance bond for the project or guarantee by the LPA if the LPA is the permittee. An option for the LPA is to allow the contractor to provide a dual obligee performance bond that names VDOT as well as the LPA as the

obligees. For performance bonds that are already in place, the contractor can execute a dual obligee rider to the existing bond. [Appendix 13.1-A](#) to this chapter provides a sample of a dual obligee rider that can be used for this purpose.

In lieu of providing an ~~original~~ performance bond naming VDOT, the LPA may offer a letter that indicates the locality has a performance bond on file from the contractor that guarantees performance during the project. The letter should be attached to the land use permit and include a copy of the bond. If the LPA is the permittee for the land use permit, the letter simply needs to indicate that the locality will guaranty performance through a resolution of the governing board.

13.1.4.2 VDOT Databases

<i>PCES / Dashboard Updates</i>		
<i>Federal aid</i>	<i>State aid / VDOT Maintained</i>	<i>State aid / LPA Maintained</i>
X	X	X

PCES

VDOT's Project Cost Estimating System (PCES) is VDOT's primary ~~long-range-project~~ budgeting tool. ~~and is used to ensure that projects are appropriately funded throughout project development and delivery.~~ For projects in VDOT's SYIP, the LPA is responsible for providing updated ~~updating~~ project costs and justification for changes in PCES to the VDOT CPM, who will ensure ~~and coordinating with the VDOT CPM to ensure cost~~ these updates are accurately reflected in PCES. ~~The VDOT CPM is responsible for ensuring PCES is updated.~~

VDOT Dashboard and NVAP

VDOT is committed to transparency in all of our operations. As such, all projects in the Six Year Improvement Plan, including those administered by LPAs, are included on the

VDOT Dashboard “Projects” dial available at:

~~<http://dashboard.virginiadot.org/><https://dashboard.virginiadot.org/>. The VDOT Dashboard “Projects” dial Project Performance focuses on on-time and on-budget project delivery, and provides information on how projects are tracking toward their milestones and deadlines. Up to ten schedule activities are tracked during project development, many of which are included on locally administered projects. Several reporting capabilities are also available as part of the VDOT Dashboards functionality.~~

During project delivery, ~~LPAs **are required** must to provide and maintain update several ~~Construction~~construction-specific data fields through the Non-VDOT Administered Project (NVAP) module on the SMART Portal., LPAs may also create additional milestones to reflect the critical path to track the project through Construction. Data entry for project delivery is facilitated through the SMART Portal and the LPAs existing account (see additional information regarding use of the SMART Portal below).~~ NVAP is the interface that **LPA**s **are required** to use to enter project updates during the Construction phase. NVAP links the data to the VDOT Dashboard “Projects” dial for inclusion and monitoring during Construction of locally administered projects. LPAs access the SMART Portal in the same manner as used to access funding applications, then selecting the NVAP icon/link to enter the data entry module. More information and instructions are included in the NVAP Users Guide.

LPAs are required to regularly coordinate with the VDOT PCACE/CPM to provide milestone updates. The VDOT PCACE/CPM and the LPA PM are both responsible for ensuring the VDOT Dashboard is updated. Projects which are not updated will be reported as late ~~or over expended~~ according to the business rules of Dashboard.

~~SMART Scale Dashboard~~

~~VDOT has a separate SMART Scale Dashboard that focuses on tracking SMART Scale funded projects administered by VDOT and LPAs. SMART Scale projects are also~~

included in the VDOT Dashboard “Projects” dial, but the SMART Scale Dashboard is intended to provide a quick reference to exclusively monitor the status of SMART Scale projects as they advance through project development and delivery. Localities with SMART Scale projects are required to regularly coordinate preliminary engineering and construction milestone, schedule, and estimate updates with the VDOT PC/CPM in a timely manner to ensure the SMART Scale Dashboard reflects the current status. SMART Scale project construction updates are facilitated by the LPA using the SMART Portal discussed in the next section.

SMART Portal Construction Data Entry

Included with the VDOT Dashboard is a module integrated within the SMART Portal titled “Non VDOT Administered Projects” (NVAP). NVAP is the interface that **LPA’s are required** to use to enter project updates during the Construction phase. NVAP links the data to the VDOT Dashboard “Projects” dial for inclusion and monitoring during Construction of locally administered projects. LPAs access the SMART Portal in the same manner as used to access funding applications, then selecting the NVAP icon/link to enter the data entry module. More information and instructions are included in the NVAP Users Guide.

13.1.4.3 Preconstruction Conference(s)

A preconstruction meeting is required for all projects. For federal aid projects or projects that will be subsequently maintained by VDOT, the LPA shall invite:

- LPA Project Manager (PM)
- LPA Responsible Charge Engineer (RCE)
- LPA construction inspection staff
- Contractor
- VDOT district Area Construction Engineer (ACE)
- VDOT district Construction Manager (CM)
- VDOT district Project Coordinator

- VDOT district Materials section representative
- VDOT district Civil Rights Monitor (if federal)
- VDOT District Environmental Manager (if NEPA commitments are required)

~~For most projects, a single preconstruction meeting to include the LPA, the LPA-designated construction project engineer and inspection staff, the contractor, the VDOT GPM and PC, and other stakeholders and appropriate VDOT staff shall be held.~~

~~However, f~~Eor complicated projects requiring a high level of planning and coordination with VDOT, the LPA may ~~find it desirable~~consider ~~to hold~~ a separate preconstruction meeting with their construction project engineer and VDOT staff. ~~–Appendix 13.1-C,~~ to this chapter, contains a list of issues and topics which should be discussed with both VDOT staff and the construction contractor during the preconstruction meeting(s).

For state-aid projects maintained by the LPA, the LPA-PM may invite VDOT staff as they deem appropriate.

~~For Federal aid projects, VDOT attendees usually include the ACE, the PC, the VDOT GPM, a District Materials section representative, a District Civil Rights Monitor, and a District Environmental Monitor (when NEPA commitments are required).~~

VDOT Responsibilities:

- *Review previously agreed upon arrangements to ensure VDOT support to the project and VDOT oversight costs to the project are still valid.*
- *Outline VDOT's oversight expectations during construction*
- *Provide LPA with the final oversight cost estimate.*

13.1.4.4 Project Schedule

Create and Submit a Project Schedule

<i>Federal aid</i>	<i>State aid / VDOT Maintained</i>	<i>State aid / LPA Maintained</i>
X	*	N/A

** A formal project schedule is not required; however, a list of significant milestones and approximate dates may be required as determined by the VDOT ACE.*



Upon receipt from the contractor (usually within 15 business days after the preconstruction conference and before construction has begun), the LPA will provide a project critical path method (CPM) schedule or earnings schedule to the VDOT CPM covering the full duration of the project.

Periodically, throughout the project, the LPA may require the contractor to update the project schedule based on current progress. Schedule updates must be submitted to the VDOT CPM to ensure the project is on schedule.

As necessary, the CPM schedule may include diagrams, bar charts, and a tabular schedule report showing start and finish dates. A written narrative of the schedule can be submitted which describes each activity shown. The narrative should list the Contractor's work days per week, holidays, number of shifts per day, and number of hours per shift. On federally funded projects, a narrative that describes the upcoming work activities to be performed by DBE Sub-contractors is required.



VDOT strongly recommends that an earnings schedule be provided to indicate the amount of work to be performed within given time periods as percentages of the contract dollar value. VDOT requires contractors to use the [C-13](#) form, which is available to LPAs, to document this information. The earnings schedule provides a means of measuring the Contractor's progress throughout the life of the project.



Early identification of deficient progress is critical to preventing or mitigating delays in project completion. The LPA should be alert to detect delays or lack

of progress on the project. Such delays should be brought to the attention of the Contractor and the VDOT CPM. This will help prevent the Contractor's progress from becoming deficient.

The LPA and the VDOT CPM must, together, identify critical milestone/activities when VDOT staff will be on-site to observe construction activities and agree as to notification requirements to ensure this occurs. These milestones/activities should be identified in the Quality Assurance Plan for the Project.

VDOT and LPAs have greater success during construction when a formal plan of communication is prepared. A template "[Guidelines for Construction Activities Interaction](#)" is provided on-line and can be used to document construction responsibilities during an LPA Administered project. The LPA is strongly encouraged to develop a communication plan for all projects, but especially for federal aid and state aid, VDOT-maintained projects of moderate to high complexity and duration.

13.1.5 Construction Activities

The LPA PM should issue a Notice to Proceed (NTP) to the contractor in writing. The NTP will be the first day that the contractor can begin work onsite. The VDOT CPM should be copied on the NTP notification to the contractor. The NTP date is considered to be the date contract work started on the LAP C-5.

13.1.5.1 Project Documentation

<i>Maintain Project Documents</i>		
<i>Federal aid</i>	<i>State aid / VDOT Maintained</i>	<i>State aid / LPA Maintained</i>
X	X	X

Accurate documentation of construction activities is critical to administering construction contracts, requesting reimbursement, and considering contract changes and/or resolving claims. Construction documentation includes, but is not limited to:

- The Inspector's daily diary,
- Tracking logs for quantity and types of materials on-hand and placed,
- Materials acceptance results,
- Calibration reports for materials testing equipment,
- Weight tickets for stone, asphalt, and concrete,
- Weigh person's daily summary,
- Project photos documenting field conditions and progress of work,
- Environmental compliance documentation,
- Any conditions delaying project progress,
- Activities performed by DBE firms each day for federally funded projects,
- EEO and DBE documentation for federally funded projects.
- Subcontractor Agreement/Subletting Request (C-31) for federally funded projects

~~including quantity and types of materials on-hand and placed, materials acceptance results, equipment calibration, weight tickets, weigh person's daily summary, conditions delaying project progress, activities of DBE firms, etc. is critical to construction contract administration and is especially important for reimbursement processing and when considering contract changes and dispute or claims resolution.~~



A daily diary of project activities must be kept for all projects and made available for VDOT review on all federal aid projects or projects to be maintained by VDOT.

The LPA may use any project file documentation system it deems appropriate, including the use of construction management software, as long as an appropriate level of documentation is maintained for a minimum of three (3) years following FHWA final acceptance for federal projects and VDOT acceptance for state projects. - [Appendix 13.1-D](#) of this chapter contains typical project documentation that is expected to be



kept. VDOT can provide the LPA, upon request, examples of various record keeping documents. ~~The VDOT CPM may, at their discretion, review this information project documentation over the course of the project and will notify the LPA if any mandatory data is missing from the documentation of any deficiencies or missing documentation.~~ ~~Failure to record maintain acceptable project documentation this information may result in partial or complete loss of funding. the reduction of federal participation for any claims or the inability for VDOT to support the LPA during other project-related disputes. Missing documentation including material quantities and acceptance which impacts project quality assurance may also affect the ability to provide full reimbursement for those items.~~



For non-federal aid projects which will be maintained by the LPA, project documentation supporting all payments for materials, prices adjustments impacting reimbursements, and claims documentation must be kept on file and available for inspection for no less than three years following FHWA and/or VDOT acceptance of the final voucher project.

~~VDOT utilizes and can provide various record keeping documents to support the LPA, to include an electronic materials notebook (e.g. TL-142).~~

LPA's must ~~be willing to provide, or provide~~ access to, project documentation as requested by VDOT or FHWA.

VDOT Responsibilities:

- *For LPA's with limited experience or those requesting support, the VDOT CPM will provide the LPA with assistance in establishing a Project File project documentation filing structure.*
- *Periodically, the VDOT CPM will inspect project diaries and materials notebooks documentation and provide recommendations for improvement.*

13.1.5.2 Qualifications of On-site Personnel

The LPA is responsible for ensuring that on-site inspection staff is adequately qualified to perform duties assigned. The LPA is also responsible to ensure that other project personnel are appropriately trained, and where applicable, certified to perform duties as identified in the contract documents, referenced specifications, and federal and state regulations. This includes, but is not limited to, those related to materials testing, work zone safety, traffic management, occupational health and safety, erosion and sedimentation control, and environmental protection.

VDOT's Construction and Inspector's Manuals provide guidance related to many of the necessary qualifications of project inspectors and should be used as a reference by LPAs and their Construction Engineering and Inspection (CEI) consultants.

The LPA must assign a Responsible Charge Engineer (RCE) to every construction project. The RCE must be a professional engineer licensed to practice in the Commonwealth of Virginia. The RCE may or may not be directly employed by the LPA; however, if the LPA elects to use a consultant for professional engineering services, a full time local government employee must retain overall responsibility for the project.

13.1.5.3 Material Acceptance and Assurance Sampling and Testing

<i>Materials Acceptance Must Meet VDOT Standards</i>		
<i>Federal aid</i>	<i>State aid / VDOT Maintained</i>	<i>State aid / LPA Maintained</i>
X	X	*

*Applicable to fabricated structural steel, metal poles, or pre-stressed concrete elements

Materials Quality Assurance Sampling and Testing is required in accordance with the contract documents, [VDOT Materials Manual of Instructions](#), and Chapter 13 of this manual, with contract requirements taking precedence, where they are more stringent. For federal aid projects or for projects that will be maintained by VDOT, the LPA shall submit a materials quality assurance plan (QAP) for review and approval, prior to advertisement for construction. VDOT approval must be provided before beginning construction. The LPA's QAP will outline the requirements and processes that the LPA will follow for materials inspection and quality assurance. The [QAP template](#), [QAP template instructions](#), and a [QAP example](#) for completing the Quality Assurance Plan are located on the [LAD external forms site](#).

VDOT understands that LPAs maintaining their own road system have a vested interest in ensuring the quality of construction for their projects and strongly recommends that LPA's develop and follow their QAPs on non-federal aid, locally maintained projects. VDOT can perform an advisory role to the LPAs regarding materials quality assurance on these non-federal aid projects. Materials acceptance and assurance sampling and testing for projects that do not include federal aid and will be maintained by the LPA will be performed in accordance with the contract documents, which will conform to the LPA's quality assurance plans. However, projects located on Primary routes or on the NHS, and are maintained by VDOT, will be required to meet all VDOT Materials Quality Assurance requirements when receiving federal or state funding support.

VDOT Responsibilities:

- *For federally funded or state maintained review the LPA Quality Assurance Plan (QAP) and approve*



Materials on federal aid projects or projects that will be maintained by VDOT are required to be from VDOT's pre-approved materials list of products and/or sources.

Materials Technician and Inspector Qualifications

Inspectors on federal aid projects and projects to be maintained by VDOT are required to be certified by VDOT in Asphalt Field Level I & II, Concrete Field, Soils and Aggregate Compaction, Slurry Surfacing, Surface Treatment and Pavement Marking. The National Institute for Certification in Engineering Technology (NICET) Construction Materials Testing Level II Certification in Soils and NICET Construction Materials Testing Level II Certification in Concrete can be substituted for the VDOT Soils and Aggregate Compaction and VDOT Concrete Field certifications respectively. Inspection staff for quality control sampling and testing may be directly employed by the LPA or may be employed by a firm contracted by the LPA or the contractor. Inspection staff for quality assurance may be directly employed by the LPA or may be employed by a firm providing construction engineering and inspection services that is contracted by the LPA.

LPAs maintaining their own road system have a vested interest in ensuring the quality of construction for their projects and VDOT strongly recommends that only certified technicians be used on their non-federal aid projects. However, regardless of funding type, certified technicians will be required when these projects are on the National Highway System.

13.1.5.4 Project Monitoring and Oversight



For federal aid projects, VDOT is not relieved of oversight responsibility for the project's construction, even when administered by the LPA on roads maintained by the LPA.

The LPA should refer to the VDOT Construction and Inspectors Manuals for guidance regarding project inspection and monitoring. Both documents have been prepared to inform and assist VDOT construction inspection personnel. The Construction Manual provides detailed guidance for the specifications contained in the VDOT Road and Bridge Specifications. The Inspectors Manual contains a series of tables which identify

the primary inspection duties for major categories of work. Conformance with these manuals is required for federal aid projects and any project to be maintained by VDOT. Where substantive deviation with these manuals is expected, the LPA must coordinate with the ACE prior to those activities. Where project situations preclude advanced notice, the LPA must document the extent of the deviation and how quality assurance was maintained.

For any project that the LPA restricted bidders to be VDOT prequalified contractors, the LPA may submit a request to the VDOT State Construction Engineer to consider removing a bidder or contractor from the Department's List of Prequalified Vendors for any reason identified in Section 102.08(a) of the [VDOT Road and Bridge Specifications](#).

For projects which will be maintained by VDOT after completion, VDOT has responsibility to ensure that the project is constructed in a conformance with contract requirements and specifications. As such, VDOT will perform oversight inspections for these projects. The frequency of these inspections will be in general accordance with [Appendix 13.1-B](#) of this Chapter.

VDOT Responsibilities:

- *The VDOT CPM will provide oversight of federal aid and VDOT maintained projects in accordance with [Appendix 13.1-E](#) of this chapter. VDOT's responsibility is to ensure conformance with contract provisions.*
- *[Appendix 13.1-E](#) provides a list of construction activities and specific review items that should, typically, be included during oversight evaluation. It is not expected that every item, or even every construction activity, be reviewed each time an oversight evaluation is made. Instead, the reviewer should focus each evaluation on the specific needs during that phase of work or on questions the*

Construction Manager may have or on issues that have been brought up during progress meetings. Some items will not be applicable unless the reviewer is on-site during those events.

- If the VDOT CPM determines that it is in VDOT's interest to be on-site during specific events, they need to coordinate with the LPA so those discussions occur early in the construction process, preferably before construction begins. This should be addressed in the QAP.*
- The VDOT CPM will coordinate with other VDOT staff having oversight responsibilities to ensure site visits are coordinated as much as possible in order to minimize impact on construction activities.*

*****No VDOT employee shall direct the actions of an LPA consultant or LPA contractor, except in the case of immediate danger to life or health. All requests or direction shall be made to the LPA-designated Project Manager. Where the RCE is a consultant or when the on-site project inspector in charge is a consultant, VDOT may discuss the issue(s) with that consultant and make them aware of the recommendation or directives that will be provided to the LPA-designated Project Manager.***

13.1.5.5 Field Modification to Approved Design

During construction, there are many times that the approved design must be modified to accommodate field conditions. The LPA-RCE should review each field modification to determine if the Engineer of Record should be consulted prior to making the modification. The Engineer of Record is the person that signed and sealed the plan sheet. The Engineer of Record may need to issue a formal plan revision if engineered elements of the design are modified. If required, the formal plan revision must be issued prior to the modification being constructed. Any design change that would result in

additional right-of-way, a Design Exception, or a Design Waiver must be submitted to the VDOT CPM and approved by VDOT prior to implementation of the design change.

In addition, ~~t~~The LPA must ensure that project design modifications do not require additional NEPA evaluation for federal aid projects. Any additional work outside the originally identified project “footprint” would require additional evaluation. ~~Additional~~ Any change in scope ~~scoping~~ for any federal aid project must be coordinated with VDOT staff and approved prior to ~~issuing a notice to proceed to the contractor~~ the modification being constructed.

~~Modifications to the engineering design require, at a minimum, review and approval by the Engineer of Record. Any design change that would result in additional right of way, a Design Exception, or a Design Waiver must be submitted to the VDOT CPM and approved by VDOT prior to implementation of the design change.~~

A change order may also be required to accommodate the modification. Further discussion on change orders is provided in [Chapter 13.3](#).

13.1.5.6 Project Reimbursement Requests



The LPA must submit a certification along with each ~~monthly payment~~ voucher reimbursement request to the VDOT CPM. The LPA's Project Manager must submit each reimbursement request with a statement certifying, as applicable, the following:

- The voucher reimbursement request is accurate and the payment request represents satisfactorily completed work.
- All Civil Rights, Equal Opportunity, and DBE-related documentation, as applicable to the project, has been submitted.
- All applicable environmental controls are in place and are being

maintained by the contractor.

- All materials used on the project during the pay period meet FHWA and VDOT requirements, as applicable to federal aid and VDOT maintained projects. (Note: Materials certification is required prior to installation.)
- All iron and steel fabricated materials used on the project during the pay period meet Buy America ([23 CFR 635.410](#)) as applicable to federal aid projects.
- A breakdown of current charges for material-on-hand, any price adjustment, fuel adjustment, and change order
- An updated project schedule (when a schedule is contractually required) showing the items completed during the pay period.

Recommended certification language is provided in [Appendix 13.1-F](#). Additional information regarding the processing and reimbursement of such requests will be performed in accordance with [Chapter 19](#) of this Manual. ~~As stated in Chapter 19, upon agreement between the LPA and the VDOT project coordinator/monitor, in lieu of copies of invoices paid by the LPA, a one-page summary of what documentation the LPA has on file may be used, provided that the LPA's Director of Finance, Accounting Manager, or local employee of similar position signs it. Where the LPA submits a one-page summary of documentation it has on file, it must also provide the certification statement (noted above), and also certify that such records are retained in accordance with state and federal (where federal funds are utilized) records retention requirements for future audit purposes.~~

VDOT Responsibilities:

- *VDOT CPM will review ~~voucher reimbursement request (or documentation summary if agreed upon);~~to provide reasonable assurance that activities have been performed or materials are on-site. If any issues are identified, the VDOT CPM will request the LPA to address and resubmit the reimbursement request. and*

~~forward to District business / accounting staff for processing.~~

- ~~VDOT Business / accounting staff will complete the FD-AP-01 and forward to Central Office Fiscal Division for processing.~~
process reimbursement requests through Cardinal
- All acceptable reimbursement requests will be processed within 30 calendar days of submittal by the LPA.

13.1.5.7 Project Acceptance

As the construction project nears completion, the LPA-RCE, with the assistance of onsite inspection staff, should develop and maintain a punchlist of items that must be completed by the contractor before the LPA can issue final acceptance and determine that the contractor has completed the project. This punchlist should be made available to the contractor so that they are aware of outstanding items. Once the contractor believes that the project is complete, they must notify the LPA-PM in writing and request a final inspection. The LPA-PM will schedule the final inspection walkthrough on site and invite the contractor, LPA-RCE and VDOT CPM. The contractor, LPA-RCE and VDOT CPM will jointly walk the project at the final inspection. Any deficiencies noted will be provided by the LPA as a final punchlist to the contractor. The LPA-PM will notify the VDOT CPM once all deficiencies noted on the final punchlist have been addressed to the satisfaction of the LPA-RCE. For federal aid or VDOT maintained projects, the LPA must receive written concurrence from VDOT that the project is complete prior to issuing final acceptance to the contractor in writing. The date the LPA issues final acceptance in writing to the contractor is considered to be the completion date for contract work on the LAP C-5.

Incentives, Disincentives, and Liquidated Damages

The LPA must award the contractor all incentives and assess the contractor all disincentives and liquidated damages allowed by the contract for meeting and/or not meeting the milestone and/or final completion date(s) identified in the contract. Incentive,

disincentive, and liquidated damages can only be modified with the written approval for the VDOT ACE.

Final ~~Payment Voucher~~ Reimbursement Request

After ~~final acceptance completion of the final inspection with the contractor and, as necessary, VDOT staff, and the necessary corrections have been completed,~~ the LPA will begin the process to provide VDOT with a final invoice and financially close out the project with VDOT.

The LPA will ensure that the final ~~voucher/estimate~~reimbursement request has been examined and verified to be mathematically true and accurate. Additionally, while it is not necessary to ~~audit~~ perform a detailed review of project documentation on every project ~~(typically those identified as low risk),~~ the LPA may have the final ~~voucher/estimate~~project records examined ~~and verified~~ by a qualified independent final records reviewer ~~or auditor~~. The reviewer ~~or auditor~~ should be experienced with preparing final construction payments/~~vouchers~~ and must not be affiliated with the project. ~~She/he~~They may or may not be employed by the locality. A locality may wish to have VDOT perform the final ~~voucher~~ project records review and verification of final payment~~review/verification~~. In this case, billing ~~and project charge~~ arrangements should be made and the Project Administration Agreement Appendix A should be amended with the additional oversight costs. ~~Off-site materials inspection costs incurred by VDOT are to be applied to the appropriate charge codes. If the LPA decides to not have the final records examined and verified by a qualified independent reviewer, then a statement must be provided along with the final reimbursement request stating that a final review was not performed on the project~~

The LPA is expected to ~~perform, or have performed,~~ have a an audit final project records review and final payment verification on all federal projects identified as

“Projects of Division Interest” (PoDI). ~~The “PoDI” terminology was~~, formerly known as “Federal Oversight” (FO).

The final payment review should include examination of all payments to ensure that any overpayments/underpayments are identified and ~~reduced~~ reflected in the ~~from~~ final payment. Additional information on project close-out procedures is provided in Chapter 14, of this Manual. ~~This is to ensure that any overpayments are reduced from final payment.~~

VDOT’s Post-Construction Manual can be used as resource guidance regarding preparation of final invoices. Unless otherwise identified in this manual, LPAs are not required to use the VDOT forms identified in the Post-Construction Manual.

~~If the LPA decides to not have the final voucher/ estimate examined and verified by a qualified independent reviewer or auditor, then a statement must be provided along with the final voucher stating that a final review/ audit was not performed on the project.~~

Sign Inventory



For all projects which will be maintained by VDOT, the LPA shall provide a list of all installed signs and include location, installation date, brand, and any other pertinent information.

13.1.6 Key Submittals / Requirements

Task/Submittal / File Documentation	Locality Responsibility	VDOT Construction Project Monitor (VDOT CPM) Responsibility	Submittal Timing / Recordkeeping Requirements
Materials Quality Assurance Plan (QAP)	Develop and submit to VDOT PC/CPM	Review and approve in coordination with District Materials Engineer	LPA to submit prior to or at advertisement; VDOT to approve and notify LPA prior to Construction start
Source of materials C-25	Submit Form to VDOT ACE	Review and coordinate pre-review with Materials section	Within 7 days after Pre-Construction meeting but no later than 2 weeks prior to using materials on the project
Project / Earnings Schedule	Ensure plans to coordinate with VDOT ACE have been made	Concur; ensure milestones which necessitate VDOT staff on-site are identified	Within 15 days after Preconstruction Meeting
Civil Rights Forms	Ensure requirements are met	District CRO will make periodic site visits to ensure compliance	Within 15 days after Pre-Construction Meeting
Dashboard Update	Include project in VDOT's Dashboard prior to initial reimbursement request	At initial reimbursement request, ensure LPA has include project in Dashboard	Project Placed in Dashboard prior to construction and updated every 90 days.
PCES	Provide revised data	Update	PCES must be updated every 90 days throughout construction
Project Diary	Ensure daily diary is maintained	Review to ensure adequate / provide support as necessary	Submitted at end of Project for VDOT Maintained Project; Kept on-file for three years for projects maintained by LPA
Materials Notebook	Maintain materials notebook to adequately document all materials on site	Provide assistance as needed to establish; periodically review during inspections	Maintained at Job-site and available for inspection; For projects to be maintained by VDOT, a copy of the materials notebook must be submitted prior to project acceptance.
Reimbursement Requests	Ensure all items requested are completed and documented; provide appropriate certification language	Review to ensure only eligible items are included	Provide monthly, but no longer than 90 days
Final Project Inspection	Invite VDOT to final punchlist inspection and correct any deficiencies noted	Attend final punchlist inspection and identify major deficiencies;	Prior to final acceptance and semi-final reimbursement payment

13.1.7 References





- [23 CFR 635](#) (non-NHS) requirements)
- [23 CFR 637](#) (NHS requirements)
- [FHWA Contract Administration Core Curriculum Participants Manual and Reference Guide](#)
- [FHWA Construction Program Management and Inspection Guide](#)
- [VDOT Construction Manual](#)
- [VDOT Inspection Manual](#)
- [VDOT Construction Oversight Guide for LAPs](#)
- [VDOT Post Construction Manual](#)
- [VDOT Post Award Scheduling Guide](#)

Chapter 13.1 – Construction Administration Checklist

These checklists can be found in their entirety in the [VDOT online forms library](#)

CH 13.1 - Construction Administration

~~Construction administration is the management of all construction activities necessary to ensure the completion of a high quality product meeting all contract specifications, and applicable federal, state, and local laws and regulations.~~ Construction administration is the responsibility of the LPA through its Construction Project ~~Engineer~~ Manager.

<i>SUBMIT</i>	<i>COMPL</i>	<i>F</i>	<i>S-V</i>	<i>S-L</i>	<i>T-A</i>	<i>UCI</i>	<i>Requirement</i>	<i>Reference</i> <i>LAP Other</i>	
	<input type="checkbox"/>	X	--	--	X	X	LPA provides full time government employee responsible for the project	13.1.3	
	<input type="checkbox"/>	X	X	--	X	X	Significant deviations from Construction Manual and Inspectors Manual identified and documented or prior approval	13.1.3	
	<input type="checkbox"/>	X	X	--	*3	*3	Land-use permit and performance bond obtained	13.1.4.1	
	<input type="checkbox"/>	X	X	X	X	X	PCES estimate Updated ¹	13.1.4.2	
	<input type="checkbox"/>	X	X	X	X	X	Create Project profile in Dashboard¹ LPA updates NVAP monthly	13.1.4.2	
	<input type="checkbox"/>	X	--X	--X	X	X	Preconstruction meeting held with VDOT Construction Project Monitor, District Civil Rights and others as necessary	13.1.4.3	
	<input type="checkbox"/>	X	*2	--	X	X	Project schedule & earnings schedule prepared and submitted; includes critical milestones for VDOT participation	13.1.4.4	
	<input type="checkbox"/>	X	X	--	X	X	Daily construction diary initiated / maintained throughout project	13.1.5.1	
	<input type="checkbox"/>	X	X	--	X	X	Submit Materials Quality Assurance Plan (QAP)	13.1.5.3	
	<input type="checkbox"/>	X	X	--	X	X	Submit Field modifications to VDOT Construction Project Monitor	13.1.5.5	
	<input type="checkbox"/>	X	X	X	X	X	Submit Reimbursement requests and certify compliance with requirements	13.1.5.6	

	<input type="checkbox"/>	X	X	--	X	X	Conduct final inspection with contractor and VDOT staff when necessary	<u>13.1.5.7</u>	
	<input type="checkbox"/>	X	X	X	X	X	Final voucher records examined and <u>final payment</u> verified by a qualified independent reviewer <u>or</u> <u>certification no review was performed or auditor</u>	13.1.5. 6 <u>7</u>	
	<input type="checkbox"/>	X	X	X	X	X	Final payment reconciled prior to submittal for reimbursement	13.1.5. 6 <u>7</u>	

¹ Required for projects funded with "formula" funds; NOT required for Revenue Sharing, or Access projects

² A formal schedule is not required, however, a list of significant milestones and approximate dates may be required as determined by the VDOT ACE

³ Land use-permit required for projects constructed within VDOT R/W.

Appendix 13.1-A

Dual Obligee Rider Example

DUAL OBLIGEE RIDER

To be attached to and form a part of contract bond number _____ issued by
the _____ on behalf of

in the amount of _____
Dollars (\$ _____) and dated _____
in favor of _____

in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration receipt of which is hereby acknowledged, the Undersigned hereby agree as follows:

VDOT is hereby added to said surety bond as an additional obligee for the purposes of guaranteeing any work associated with the referenced contract performed within VDOT's right of way under the terms of the land use permit for that purpose.

The conditions of this obligation are such that if the said Principal shall in all respects comply with the terms and conditions of said permit(s), and fully meet and perform obligations thereunder in accordance with requirements for permits as set forth in the Land Use Permit Manual in effect at time of permit issuance, and shall satisfactorily complete the work permitted, then this obligation to the Department would be void, otherwise to be and remain in full force and virtue.

The surety bond securing performance on the specified permit may be canceled only upon satisfactory completion of the specified permit, as determined by the VDOT representative.

The surety's obligation to the Department shall be no greater than its obligation to the county, city, or town administering the project, and the amount of the bond is the limit of the surety's obligation to either or both obligees.

Appendix 13.1 – B

Project Oversight Risk Assessment Scoring

The VDOT Project Coordinator (PC) may have evaluated and assigned an oversight score for the project during or before project scoping. That score provides an oversight level of Low, Moderate, or High, which may also be applied during construction. However, the VDOT Construction Project Monitor (VDOT CPM) can elect to re-evaluate the initial score and assign a new one prior to construction.

The evaluation table is also contained in [Appendix 9-C](#), however this appendix provides detailed construction-specific discussion as it relates to oversight expectations. The oversight levels are based on the potential adverse impact of contract noncompliance and the likelihood that noncompliance may occur. The following table provides a summary of the oversight levels:

Oversight Level	Impact/Probability
High (H)	Significant impact on infrastructure due to non-compliance - Significant effects to quality of construction, cost, & schedule; High probability of non-compliance
Moderate (M)	Moderate impact on infrastructure due to non-compliance - Moderate effects to quality of construction, cost, & schedule; Moderate probability of non-compliance
Low (L)	Minimal impact on infrastructure due to non-compliance - Minimal effects to quality of construction, cost, & schedule; Low probability of non-compliance

Oversight levels will be determined by identifying specific elements applicable to the project. Several elements will be considered more important, and thereby “weighted,” more heavily than others. Generally, a Federal Oversight project or a project on the National Highway System will require more oversight than one that is state funded. The Department also has less risk on projects that will be maintained by the locality and those projects are weighted lower than a project where VDOT will be maintaining the final product. The amount of experience a locality has in administering contracts is another factor that will be considered. These elements, and corresponding weighted values, are depicted on the following chart:

Element	Value (factor)	Check Elements That Apply	Total Factor per Element
Federal Oversight	20		
National Highway System	20		
Design-Build/PPTA	20		
Funding			
Federal Funded (non-Transportation Alternatives)	15		
State Funded	10		
Federal Transportation Alternatives (Impacts R/W)	7		
Federal Transportation Alternatives (Off R/W)	1		
Completed Project Maintenance			
State Maintained Project	10		
Locality Maintained Project	2		
Project Category *			
Category I	2		
Category II	5		
Category III, IV, V	10		
Locality Experience Administering Project			
Low Level	15		
Intermediate Level	10		
High Level	5		
Factor Total			

* See the VDOT [Post Award Scheduling Guide](#), Section I, Item #5 (page 13) for project category descriptions

To obtain the project's score, each applicable element is identified and the corresponding value is transferred to the far right column. All values placed in the far right column are totaled to provide a final score or "Factor Total." The level of oversight is established in accordance with the range on the following chart.

Level of Oversight	Range of Factor Total	
High (H)	> 45	
Moderate (M)	25-55	
Low (L)	< 35	

This analysis is a basic attempt to achieve the level of oversight needed. On occasion oversight levels may overlap. When the factor total falls within 2 ranges, the oversight level should be established using sound engineering and professional judgment. This could be based upon several considerations, such as, unusually complicated features associated with the project construction; highly sensitive environmental or socio-economic issues, the Project Manager's experience working on similar transportation projects; or, after the contract is awarded, the contractor's experience with similar projects.

Transportation Alternatives projects off the highway rights-of-way are unique and pose a lower level of risk to VDOT. Most likely, these projects will fall in the low range of oversight.

At any time throughout the duration of the project, the VDOT Construction Engineer may increase or decrease the frequency or intensity of VDOT's oversight, based on the contractor's job performance and the result of previous VDOT compliance reviews. If there is evidence of deficiencies in the inspection, materials testing, documentation, and/or environmental compliance during construction, the level of oversight may be increased. Conversely, if the District gains a higher level of confidence in the locality's project administration, the level of oversight may be reduced. Changes in the oversight level during construction should be well documented and communicated to the Locality.

Project Evaluation Frequency

The frequency of District reviews should be, generally, in accordance to the following chart. A final review is at the completion of construction.

Oversight Level	Frequency of District Reviews
High (H)	Bi-weekly to Monthly
Moderate (M)	Monthly to Quarterly
Low (L)	Randomly; infrequently

The frequency of oversight evaluations (or "site visits") will depend on many different factors, including duration of construction and the complexity of the construction phases. A good general rule for long-duration projects is to attend the monthly progress meeting

and perform a short site visit that same day. Special issues brought up during the progress meeting can be evaluated during the site visit. Not every facet of construction oversight must be reviewed during every evaluation. The oversight reviewer needs to use his/her professional judgment to determine what is most important and what poses the highest potential risk during that particular construction phase. The Locality Project Manager and/or the Construction Manager should be made aware that VDOT's oversight reviews are also intended to provide assistance, where necessary. In that manner, they may help direct you (the oversight reviewer) to the areas in need of most attention.

As previously mentioned, at any time throughout the duration of the project, the VDOT Construction Engineer may increase or decrease the frequency or intensity of VDOT's oversight based on the contractor's job performance and the result of previous VDOT oversight evaluations. If there is evidence of deficiencies in the inspection, materials testing, documentation, and Environmental compliance during construction, the level of oversight should be increased. Also, if the District experiences a higher level of confidence in the locality's inspection/documentation, the level of oversight may be reduced. Again, any changes in the oversight level during construction should be well documented.

Appendix 13.1 – C

Pre-~~C~~construction Meeting; Topics of Discussion

Pre-~~C~~onstruction Meeting; Topics of Discussion

Among the subjects to be discussed at the meeting are the following:

1. Contractor's proposed sequence of construction, operating schedules, computation of workday charges, time schedule, and completion date requirements.
2. Work to be sublet, stipulations to be included in the subcontract agreements, insofar as progress of the job and work to be done, Engineer-Contractor relations and responsibility towards Sub-contractors, authorized representatives.
3. Labor provisions, necessary posters, Engineer's inspection, and investigating procedures with regard to labor requirements.
4. Legal relations and responsibilities; cooperation with utility owners, the public, and other Contractors; licenses and permits in connection with execution of the work, local ordinances.
5. Special requirements and unusual conditions, conflicts and problems anticipated clarification of construction details and Specification requirements, procedures for assessment of time.
6. Coordination and the scheduling of work between the Contractor and the various utility companies.
7. Inspection procedures, notification to the Engineer of material orders, furnishing samples and the time and place of testing and accepting materials, field office, storage and use of materials.
8. Haul road requirements; location and scheduling of bypass construction, crossroad closures and access facilities; general responsibilities with regard to traffic convenience.
9. Employee and public safety, sanitary provisions.
10. Appointment of the project safety officer(s) for administration of the Construction zone safety requirements and procedures.

11. Delegation of authority by the Contractor and the Engineer, lines of communication, equipment and personnel.
12. A list of suppliers should be furnished to the Engineer indicating where the Contractor proposes to obtain materials for the project.
13. Pertinent outlines of the Federal Labor Compliance Regulations.
14. Civil Rights and DBE requirements. Review of Form 1273 Requirements for federal aid
15. Review of requirements for Contractor's notice of intent to file a claim.
16. Environmental concerns and or commitments as a result of NEPA, to include applicable permits, compliance with environmental laws and Contractor's responsibilities.
17. VDOT and, where applicable, FHWA oversight inspections and the process of identifying and reconciling inspection findings, to specifically include a communications plan.
18. Contract Requirements varying from the VDOT R&B Specifications.
19. Materials Sources, approved lists and submittal of C-25 to VDOT
20. Quality Assurance Plan (template and instructions are located on the [LAD external forms site](#)).
21. Off-site Materials Testing / Laboratory Testing, Coordination with VDOT see Table 1 in section 13.2.4.
22. Review of emergency procedures.
23. Any additional federal aid requirements.
24. Documentation required for reimbursements.
25. Review of items that require plant inspections and how these inspections will take place. Example items; pedestrian bridges, bridge beams and traffic poles.

Appendix 13.1 – D

Typical Project Documentation

Project Record Filing System - Locally Administered Federal aid Projects

1. Project Personnel
2. Correspondence
 - a. Contractor to LPA
 - b. LPA to Contractor
 - c. LPA to VDOT
 - d. VDOT to LPA
 - e. General
3. Materials Data
 - a. Source of Materials (C-25)
 - b. QC Testing Reports
 - c. Tickets and Invoices (Contract Item Pay Quantity Documents)
 - d. Buy America certifications
4. Inspector's Daily Reports
5. Executed Contract
 - 5-6. Subcontractor Agreement/Subletting Request (C-31)
 - 6-7. Approved Contract Change Orders
 - 7-8. Extra Work Reports
 - 8-9. Approved Progress Pay Estimates
 - 9-10. Labor Compliance and EEO records
 - 10-11. Contractor's Weekly Certified Payrolls
 - 11-12. Final Report
 - 12-13. DBE Records (need a list or reference to a list in CR Chapter)
 - 13-14. Monthly Progress Meeting Minutes
 - 14-15. Preconstruction Meeting Minutes
 - 15-16. Workzone Checklists
 - 16-17. Final Acceptance Letter

Appendix 13.1 – E

Construction Oversight / Field Reviews / Evaluations

The following includes a list of construction activities and specific review items, taken from the Inspection Manual that should, typically, be included during oversight evaluation. It is not expected that every item, or even every construction activity, be reviewed each time an oversight evaluation is made. Instead, the reviewer should focus each evaluation on the specific needs during that phase of work or on questions the ACE designee may have or on issues that have been brought up during progress meetings. Some items will not be applicable unless the reviewer is on-site during those events. If the VDOT ACE designee determines that it is in VDOT's interest to be on-site during specific events, early coordination between VDOT and the Locality is critical and those discussions need to be made early in the construction process, preferably before construction begins.

Project Documentation

Spot check project documentation to see that the records are properly maintained in accordance with this Manual, contract documents, or another pre-approved process.

Materials

[Chapter 13.2](#) provides a description of materials requirements for locally administered projects. While materials acceptance methods and processes outlined in the Materials Manual of Instructions are required for federal aid projects and any project to be maintained by VDOT and recommended for all other locally administered projects, the locality may submit alternative methods and processes for approval.

With the submission of each project reimbursement request to the Department, the locality is to provide a certification ([Appendix 13.1.F](#)) that all of the Material used on the project during the pay period meets applicable contract requirements and that all required materials documentation is in place.

The VDOT Monitor will conduct periodic reviews of the locality's material acceptance compliance for the contract work, as necessary to review compliance with the contract documents. These reviews may include confirmation of materials inspectors' certifications, confirmation of number and frequency of materials test performed, review of materials' storage and handling procedures, verification that the materials used are from an approved source, etc, in accordance with the requirements of this Chapter 13.2 of this Manual. The Department's primary focus during its review will be on verifying that the locality is maintaining adequate documentation of material acceptance and

demonstrates that they are complying with the project's contract requirements by tracking quantities and testing frequencies in the materials notebook. These reviews will be conducted in accordance with the appropriate project oversight level throughout the duration of the project.

For federal aid projects and any project that will be maintained by VDOT, the Department requires localities and their contractors to use materials available on VDOT pre-approved list or which are accepted in accordance with accepted practices. Should the locality wish to use materials not on an approved list, the Department will assist the locality to obtain approval for the material. However, if the locality uses materials not on an approved list, it may take up to a year to evaluate for approval. At the end of the evaluation the product may not be approved. The Department reserves the right to apply charges to the project for such approval, when those additional activities will not result in an additional benefit to the Department (i.e. results in a new, approved material that may be utilized by the Department in the future).

The District Construction Engineer, in consultation with the District Materials Engineer and the Locality, should identify Locality and VDOT roles and responsibilities for key activities associated with the materials quality assurance programs. On certain occasions it may be more time and cost effective to use VDOT personnel or VDOT contractors to perform some functions. This decision should be based on mutual needs, available resources, the project risk assessment, and cost or time benefits derived from such an arrangement. These arrangements should be documented within the Project Administration Agreement or within a Project Administration Agreement Amendment.

Roadway Inspections Checklist

Clearing and Grubbing

- Visually review for signs that clearing was, or is being, performed properly;
- Look for obvious signs that the clearing took place outside the right-of-way or construction easements;
- Review documentations that the cleared material is disposed of in accordance with the specifications (i.e. disposal site approval documentation).

Drainage

- Confirm that there is documentation indicating that the subgrade was approved prior to the placement of bedding material;
- Review documentation that the material for the construction of pipe, end sections, spill-outs, reinforcing steel, grates, frames, bedding material, drainage structures, endwalls, and other incidental items are on VDOT's approved products lists, have been tested or certified, and / or from an approved source;
- Review for sufficient compaction reports on various drainage structures;
- Visually review installed structures for obvious deficiencies.
- Verify pipe inspections are performed according to VTM 123 and the contract documents. Documentation should be sent to the VDOT Construction Project Monitor (VDOT CPM) for submission to the Central Office Soils lab for retention if VDOT maintained, or stored locally if maintained by locality or kept in project records.

Earthwork

- Review site work for indications that proper environmental controls are in place;
- Review that minor structure excavation has been measured, documented, and approved;
- Review for documentation indicating that the roadway earthwork has been inspected for conformity with the specified tolerances for line, grade, typical section, and cross section
- Review for documentation that the density testing requirements and frequencies are being met.
- Review for documentation that indicates that the depth of fill embankment layers as per specifications
- Review the disturbed areas to ensure seeding in accordance to specification
- Review undercut of unsuitable material documentation that the approval, excavation, and backfill is performed in accordance with contract documents

- Review for evidence that temporary seeding is provided as soon as practical in accordance with the contract documents.

Base Course

- Check that the material is placed on a prepared and approved subgrade (if present during placement), and that an approved mechanical spreader is used when practical.
- Check for documentation that the depth of the material has been placed in accordance with the contract documents
- Confirm that the minimum density testing requirements and frequencies are being met.
- Confirm Approved Mix design is used
- Verify Collection of Delivery Tickets and weigh person's daily summary (TL-102A) forms

Asphalt Concrete Pavement

- Check for documentation that shows that the control strip and test section were constructed for each lift of each course and that the required number of tests were taken; check that cores/plugs were obtained and tested to verify an acceptable control strip
- Check for records that density testing requirements and frequencies are being met;
- Verify that depth tests (cores) were performed and that they meet plan requirements
- Visually inspect for surface irregularities.
- Confirm Approved Mix design is used
- Verify Collection of Delivery Tickets and weigh person's daily summary (TL-102A) forms

Structural Inspection

- VDOT and the Locality Project Manager should coordinate prior to construction to determine the need for VDOT staff to be on-site during activities associated with the

construction of major structures (i.e. major pours).

- Check pile driving records –look for documentation on load test piles; check documentation that piles driven to the required bearing, including center of gravity check
- Review documentation for indication that piles, footings, piers, abutments, girders, prestressed concrete beams and superstructure elements, etc. have been inspected prior to placement of concrete. To include off-site Quality Assurance inspection and testing related to Structural Steel girders, poles, sign structures or prestressed concrete fabrication.
- Check visual appearance of completed concrete pours or structures - look for patterns that might indicate a defective pour or obvious signs of irregularities;
- Review concrete test reports to ascertain if adequate frequency and results have been met.
- If on site during concrete pour, perform a cursory check for proper placement of concrete and/or reinforcing steel.

Miscellaneous

Pavement Markings: Visual review that final placement is in accordance with contract requirements. Review collection of Contractor's Daily Log and Quality Control Report for Pavement Markings ([C-85](#)).

Signalization/Signs: –Visually review final installation for proper placement per contract requirements.

APPENDIX 13.1 - F

**Recommended Language/Format to be submitted
with LPA requests for reimbursement**

MEMORANDUM

TO: VDOT Construction Project Monitor / Area Construction Engineer

FROM: Local Government Contact; Project Manager; or Responsible Charge Engineer

RE: Reimbursement Request

In accordance with the requirements of the Locally Administered Projects Manual and federal and state requirements, and contract requirements for (Project # _____, UPC _____, Project Name) the following documentation is submitted:

- (The Locality) hereby certifies that all required Civil Rights, Equal Opportunity, and DBE documentation has been submitted by the contractor (a completed checklist is attached);*
- (The Locality) hereby certifies that all applicable Environmental Controls are in place and are being maintained by the contractor;*
- (The Locality) hereby certifies that all materials used on the project during the pay period meet FHWA and VDOT requirements, as applicable to federal aid and VDOT maintained projects. (Note: Materials certification is required prior to installation.)*
- (The Locality) hereby certifies that all iron and steel fabricated materials installed on the project during the pay period meet Buy America requirements (as applicable for federal aid projects);*
- (The Locality) hereby certifies that that the invoice is accurate and that the items being requested for payment have been installed on the project;*
- An updated progress schedule (where required by the contract documents) accurately indicating the current progress of the project;*
- The contractor's payment application and any supporting documentation submitted by the contractor*
- A breakdown of current charges for materials on-hand, price adjustments, and change orders.*

Questions regarding this correspondence should be directed to (Local Contact) at (phone number).

Appendix 13.1 - G

Subcontractor Agreement / Subletting Request C-31 Form

Form C-31
Rev. 02-04-19
Page 1 of 2

Proposed Subcontractor: _____ Vendor No.: _____

[illegible]

Total on this Page:	\$	\$ 0.00
Total on Supplemental Pages:	\$	
Grand Total Requested:	\$	\$ 0.00

|

Contract ID No.: _____ Sublet No.: _____
Dept. Use Only

As an authorized representative of the below listed subcontractor, I certify that the actual subcontract agreement for which this sublet approval request is made contains the stipulations in the "Required Contract Provision Federal-Aid Construction Contracts." (If contained in the contract for the above listed project). I have reviewed, understand, and agree to comply with these stipulations.

Name of Subcontractor

Address

City, State, and Zip

Phone Number

Print Name

Signature (Officer of Subcontractor)

Title

Date

Please Check Appropriate Certification:

☐ DBE Certified ☐ SWAM Certified ☐ NON-DBE/NON-SWAM

DBE Certification # _____ SWAM Certification # _____

As an authorized representative of the prime contractor, I certify that this sublet meets and is in accordance with the requirements of the contract for the above project between the undersigned contractor and the Commonwealth of Virginia/ Virginia Department of Transportation. I certify that the actual subcontract agreement for which this sublet approval request is made contains the stipulations in the "Required Contract Provisions Federal-Aid Construction Contracts". (If contained in the contract for the above listed project).

Name of Prime Contractor

Address

City, State, and Zip

Phone Number

\$ _____
Actual Amount of Subcontract

Print Name

Signature (Officer of Prime Contractor)

Title

Date

VDOT Approval of Contractor's Subletting Request

RECOMMENDED FOR APPROVAL	APPROVED
--------------------------	----------

Signature of District Engineer (or Designee) Date

Signature of District Engineer (or Designee) Date

Total amount of approved sublets to date including this sublet: \$ _____

Total percent of original contract value sublet including this sublet: _____ %

Original—District File Copy—
Civil Rights Division, Central Office

13.2 MATERIAL QUALITY ASSURANCE

13.2.1 [Introduction](#)

13.2.1.1 [Applicability](#)

13.2.2 [Materials Approvals](#)

13.2.3 [Source / Plant Inspections](#)

13.2.4 [Materials Acceptance / Assurance Technicians](#)

13.2.5 [Qualified Laboratories](#)

13.2.6 [Materials Notebook](#)

13.2.7 [Testing](#)

13.2.8 [Non-Statistical Acceptance of Small Quantities of Materials](#)

13.2.9 [Records](#)

13.2.10 [Independent Assurance Sampling and Testing](#)

13.2.11 [Materials Certification](#)

13.2.12 [Miscellaneous References](#)

Chapter 13.2 – [Materials Quality Assurance Checklist](#)

APPENDICES

13.2 A – [DEFINITIONS](#)

13.2 B – [SUMMARY OF REQUIREMENTS AND REFERENCES](#)

13.2 C – [SOURCE OF MATERIALS FORM; C-25](#)

13.2 D – [LIST OF PRODUCTS REQUIRING LT#S](#)

13.2 E – [INDEPENDENT ASSURANCE TOLERANCES](#)

13.2 F – [MATERIALS CERTIFICATIONS STATEMENT](#)

13.2 G – [MATERIALS TESTING METHODS AND FREQUENCIES](#)

13.2 MATERIALS QUALITY ASSURANCE

13.2.1 Introduction

The topics addressed in this chapter include source of materials submissions, material certifications for inspectors/technicians, laboratory qualifications, Quality Assurance (QA) / Quality Control (QC) requirements, Independent Assurance (IA) requirements for NHS projects, Materials Notebook usage, and materials certification ([TL -131LAP](#)).

Materials testing and documentation is the responsibility of the LPA through its Project Manager (PM) and the VDOT Construction Project Monitor (CPM). Required inspections and tests shall comply with this guide, [Appendix 13.2-G](#), contract requirements, approved plans, [VDOT Road and Bridge Specifications](#), [VDOT Materials Division Manual of Instructions](#) (MOI), as necessary.

13.2.1.1 Applicability

<i>Applicability</i>		
<i>Federal Aid</i>	<i>State Aid / VDOT Maintained</i>	<i>State Aid / LPA Maintained</i>
<i>X*</i>	<i>X**</i>	<i>N/A</i>

* Federal aid projects on the NHS may have additional requirements not specifically identified in this Manual and additional requirements will be identified during preliminary planning and the development of the Project Administration Agreement.

** The requirements of this chapter apply to VDOT-funded projects which will be maintained by VDOT and any federal aid project.

13.2.2 Material Approvals

Materials Acceptance Must Meet VDOT Standards		
<i>Federal Aid</i>	<i>State Aid / VDOT Maintained</i>	<i>State Aid / LPA Maintained</i>
X	X	*

*Applicable to fabricated structural steel, metal poles, or pre-stressed concrete elements



For federal aid projects, projects to be maintained by VDOT, or when fabricated steel, metal poles or pre-stressed concrete are used on locally maintained state aid projects, source of material documentation for each material is required for each material. –The contractor shall provide the LPA with VDOT Form C-25 (Source of Material) with all information for each material provided, except for the last column. –The LPA is responsible for verifying the information provided and filing out the last column (acceptance method). –The acceptance method must also include the entity’s name performing the acceptance testing. Once completed, the LPA submits to the VDOT CPM within seven (7) business days after the preconstruction conference but no later than two (2) weeks prior to using the materials on the project. ~~the LPA is required to submit documentation of the source of materials to the VDOT CPM, including the source of each material to be incorporated into the project and the acceptance method that will be used for the material. A VDOT Form C-25 (Source of Materials) must be used to meet this requirement and the form must be filled out completely and comprehensively. The last column on the C-25 (VDOT/LOCALITY USE INSP/TEST BY:) is essential in order to identify the entity performing the inspection/testing. There may be multiple C-25 submissions for a project. –A sample form is located in Appendix 13.2 – C which serves as a reference for LPAs. –Acceptance methods are found in Appendix 13.2 - C, D and G to this Chapter, the VDOT Road and Bridge Specifications, and the VDOT Materials Division Manual of Instructions.~~

~~For federal aid projects, projects to be maintained by VDOT, or when fabricated steel, metal poles or pre-stressed concrete are used on locally maintained state aid projects,~~

~~project materials and materials sources must be pre-approved by VDOT.~~ **Where a product or source is not on a VDOT approved products list or has not been previously approved approved in advance by VDOT for use on the project, the LPA should request the producer of the product or source to contact VDOT Central Office Materials Division for additional information to determine on the appropriate review/approval process ~~for review/approval.~~ The request should be timely so that the product or source may be evaluated and approved by VDOT in the same manner that comparable products and sources are evaluated.**

The LPA should recognize that approvals may take a significant amount of time depending on the product, material source, and availability of VDOT staff; therefore, use of pre-approved materials and sources is highly encouraged. If this is not possible, then the LPA should coordinate early and include one year of VDOT evaluation time in the project schedule. At the end of the evaluation, the source or product may not be approved. Manufacturer certification that materials meet specifications may also be accepted for some pre-manufactured materials.

~~VDOT will attempt to process these requests in a timely manner, however it may take up to one year to evaluate and approve the request. At the end of the evaluation the source or product may not be approved. Manufacturer certification that materials meet specifications may also be accepted for some pre-manufactured materials. The LPA should recognize that approvals may take a significant amount of time depending on the product, material source, and availability of VDOT staff; therefore, use of pre-approved materials and sources is highly encouraged. Where this is not possible, early coordination and accounting for VDOT evaluation time in the project schedule is paramount.~~

VDOT Responsibilities:

- The VDOT CPM, with the District Materials QA section support will review the ~~submitted Source of materials document~~ C-25 submitted by the LPA -to ensure proper testing, ~~of~~ VDOT approved sources, ~~have been identified~~ and ~~that~~ proper acceptance methods are listed. ~~Where~~

~~discrepancies are found, the~~ The VDOT CPM will immediately contact the LPA if any issues are identified so the C-25 may be revised/resubmitted as soon as possible.

- ~~• to discuss corrective actions.~~

13.2.3 Source / Plant Inspections

Source/Plant Inspections Must Meet VDOT Standards		
<i>Federal Aid</i>	<i>State Aid / VDOT Maintained</i>	<i>State Aid / LPA Maintained</i>
X	X	*

*Applicable to fabricated structural steel, metal poles, or pre-stressed concrete elements

Source inspection is acceptance testing of manufactured and/or prefabricated materials at locations other than the job site. -Materials requiring source inspection must be identified on the [C-25](#). **-The LPA is strongly encouraged to request VDOT perform source inspections and must identify if they are requesting that VDOT perform source inspections for those materials.** Source inspections that are necessary for all projects and performed by the department through Plant QA programs are identified in Table 1 below. These inspections are performed by the structures sections, central office physical testing laboratory or the district materials sections. Structural steel, metal poles and pre-stressed concrete elements must be fabricated in a shop certified by the American Institute of Steel Construction (AISC) or the Pre-stressed Concrete Institute (PCI) respectively where they are inspected to AASHTO design specifications and codes. These shop inspections are provided by an inspection agency using certified inspectors under contract to VDOT. Inspection fees are charged to the project. Laminated Bearing pads are tested in the central office physical lab. The testing is also charged to the project. Plant QA programs handled by the district materials sections for asphalt and central mix aggregate are performed on a system basis and there is a testing cost charged to the project. **The LPA Project Manager is responsible for**

ensuring that the contractor informs the asphalt and aggregate suppliers that their project will be handled the same as a VDOT project that requires testing and submission of TL-102A for documentation. The QA programs for precast concrete, concrete pipe, metal pipe, plastic pipe and miscellaneous suppliers are handled by the central office QA section and there is no charge to the project for this inspection.

Table 1 - Testing of Materials by the Department for Off-Site Plant QA Programs

Item	Responsibility
Pre-stressed Concrete Structural Elements ¹ (beams, girders (AASHTO and Bulb-T), and piles	C. O. ² Materials - Structures Section
Structural Steel Elements ¹ (beams and Girders)	C. O. Materials - Structures Section
Metal Traffic Signal poles, Light poles and Arms ¹	Central Office Materials - Structures Section
Laminated Bridge Bearing Pads	C.O. Materials – Physical Lab
Precast Concrete Structures ³	C.O. Materials – Quality Assurance Section – Approved list #34
Pipe (concrete, steel, aluminum and high Density polyethylene) for culverts, storm Drains and Underdrains ³	C.O. Materials – Quality Assurance Section – Approved list #25, #26 and #42
Asphalt Concrete QA program ³	District Materials Section
Aggregate CMA QA program ³	District Materials Section
Hydraulic Cement Concrete Mix Designs	District Materials Section
Hydraulic Cement Concrete Plant and Truck Inspections	National Ready Mix Concrete Association (NRMCA) Plant and Truck Certification required

¹ Structural Steel, Metal Poles, and Pre-stressed Concrete Elements must either have a Quality Assurance Inspection performed at the fabrication site by AWS certified inspector or PCI level II inspector according to VDOT specifications. VDOT has inspection agencies on call to provide these inspections at over 100 fabrication locations around the United States. VDOT structures section will contract for this service and pass the inspection cost on to the project. The structures section is staffed with professional staff to assist with all fabrication Requests For Information (RFI) and decisions related to structural welding and pre-stressed concrete codes.

² C.O. = Central Office Materials

³ Asphalt Concrete, Aggregates, Precast Concrete Structures and Pipe are accepted at the plant under a QA program. There is a testing charge associated with the asphalt and aggregate programs for Independent Assurance and verification. The plant must be informed that this local project will be treated exactly the same as a VDOT project.

Where possible, VDOT will incorporate other plant inspections not contained in Table 1 within their normal plant approval inspection schedule; these inspections are not

charged directly to the project budget. -However, when project requirements necessitate additional plant inspections, resources necessary to perform those inspections may be charged to the project budget. -VDOT will provide the LPA with an estimated cost after submittal of the [C-25](#). In order to provide an accurate cost estimate the LPA must provide the name and location of the production facility, the duration of production and an estimated shipping date. -With this information, VDOT will provide the inspection estimate based on the current plant QA inspection rates.

The inspection of project-specific fabricated items will typically be accomplished by a consultant to the LPA or the VDOT Materials QA or Structures section staff.



If the LPA chooses to use their own consultant services, the LPA must submit the inspectors' qualifications along with the C-25 to the VDOT CPM for review and approval. -VDOT has inspection agencies on call to provide these inspections at over 100 fabrication locations around the United States. -The LPA is strongly encouraged to request that VDOT perform these inspections.— The LPA must make this request when submitting their C-25 and VDOT will provide a cost estimate to perform the inspection. -Where a request of this nature is made, the LPA must provide the name of the intended fabricator and provide two copies of the approved shop drawings. Regardless of whether the QA inspector is managed by VDOT or the LPA they must be hired to witness the manufacture of the structural components in-process for the duration of production. -Structural steel inspectors must be present in the plant to witness the welding, the joint fit-up before welding, the welding consumables used, the application of preheat and when necessary inspection of initial weld passes before subsequent weld passes are applied. -Pre-stressed concrete inspectors must be present to observe the process of tensioning the bed and checking tolerances, the placement and tying of mild steel in the bed and the testing of fresh concrete and placement of concrete in the forms.

Common highway construction items and materials which are inspected at the source by qualified and certified inspectors are listed in Table 1. The inspection fee is charged to the project. -Other highway construction items such as pavement marking materials,

road delineators, sign sheeting materials and structural steel coatings can be accepted through VDOT approved QA programs and lists.

VDOT Responsibilities

- *The VDOT CPM will submit any LPA source inspector qualifications to the appropriate staff in the Materials QA section for review and approval.*
- *The VDOT CPM will submit any LPA requests for VDOT to perform source testing to the Materials QA section for review and approval.*
- *Approvals and/or comments associated with inspector qualifications, VDOT source testing along with associated a cost estimate to perform inspection(s) will be prepared and will be submitted to the LPA, within seven (7) business days of the initial LPA request.*

13.2.4 Materials Acceptance/Quality Assurance Technicians

Materials technicians are staff employed by or contracted by the LPA who perform on-site materials testing including, but not limited to, soil density, moisture, asphalt density, air content of concrete, slump, and other required materials field tests. - Quality control technicians are employed by the contractor's production forces to perform quality control testing. -Quality assurance technicians must be a third party unaffiliated with the contractor. Quality Assurance (QA) technicians perform acceptance testing, independent assurance (IA) testing and verification sampling and testing (VST). -The technician performing IA test must be a different individual from the technician performing acceptance or quality control testing. These Acceptance/QA technicians are typically employed by a separate Construction Engineering Inspection (CEI) consultant, or may be employed by the LPA. -Materials testing technicians must be qualified in accordance with the VDOT Road & Bridge specifications.



Prior to beginning work, the LPA or the contractor is required to prepare a list of all materials certification requirements necessary for the duration of the project. -At this point individual technicians are not required to be identified;

however, the name, qualifications, and work performed for each materials technician

that subsequently performs on-site inspections must be recorded in a readily accessible single file and maintained in the project records. -This list must be kept in the project files and will be submitted to VDOT when construction is complete (per Appendix 13.2-B). The list must be available for inspection by VDOT or FHWA during construction.

13.2.5 Qualified Laboratories

All sampling and testing shall be performed by a qualified laboratory that is either:

- A.** Accredited in the applicable AASHTO procedures by the AASHTO Accreditation Program (AAP); or
- B.** Complies with the requirements of [AASHTO R18](#) (18th edition) for those tests to be performed and compliance with R18 for those tests not covered by ~~_____~~AASHTO Material Reference Laboratory (AMRL); or
- C.** A laboratory approved by VDOT's Materials Division or other accreditation program meeting the requirements of R18.

Laboratory technicians shall be required to have the appropriate material testing certifications, some of which can be found in [13.2.5](#). -If a VDOT certification program does not exist, a training and evaluation record from an AASHTO accreditation program can be substituted.

13.2.6 Materials Notebook



When construction begins, a materials notebook must be initiated. This notebook must be a separate document and not part of the projects Daily Work Reports or Diary, this will allow for easier completion and reconciliation.

It is recommended that a [TL-142](#) (available on the Department's website) be used for this purpose. -As materials are accepted within the project, the quantity of each material and the method of measurement shall also be documented within the materials notebook. The Materials Notebook is also used to furnish the list of estimated quantities together with the specification designation and test report for each material placed on the project. The notebook must contain a full description and all pertinent information on all materials used in the project, whether covered by test report, inspection report,

certification, mill analysis, catalog cuts, quality assurance program, approved list or visual inspection. The “Source of Materials” (C-25) is the reference document for the acceptance method of materials. The information contained in the materials notebook is used to support final certification to VDOT that all project materials were accepted and placed in accordance with applicable contract provisions and specifications and can be used to reconcile materials payments at the end of the project.

The notebook must be kept up-to-date at all times and must be made available to VDOT or FHWA personnel upon request during normal business hours. VDOT’s Materials Notebook Resource Document provides additional guidance on the upkeep of a materials notebook.

VDOT uses an electronic (Excel) version of the TL-142 as the project materials notebook and recommends its use by LPA’s. The TL-142 notebook template which includes instructions for completing the notebook is available from VDOT’s on-line forms website.



At the end of the project and immediately after final project acceptance, a copy of the completed notebook shall be provided to VDOT for any project which will be maintained by VDOT. VDOT District Materials Section will retain the completed notebook for three years after financial closeout of the project. For projects which will be maintained by the LPA, the completed notebook must be retained in the project records for no less than three (3) years following FHWA and/or VDOT acceptance of the project closeout final voucher.

VDOT Responsibilities:

- The VDOT CPM shall assist the LPA with the establishment of a materials notebook, as necessary, depending on the LPA’s abilities.*
- During routine site inspections, the VDOT CPM is expected to periodically inspect the materials notebook to ensure that it meets expectations and adequately documents the quantity and quality of all materials used on the project.*

- Where deficiencies are noted, the VDOT CPM will provide support to correct the deficiencies and will also notify the LPA in writing of such deficiencies and a timeline for corrective action.—Typically, corrective actions are expected within thirty (30) days.

-
-

13.2.7 Testing

It is the LPA's responsibility to verify that field and laboratory sampling and testing are performed using the proper procedures and at frequencies specified in the minimum requirements outlined in the contract specifications, this Chapter [Appendix 13.2 G](#), the current VDOT [Materials Manual of Instructions](#) (MOI), and other documents specified in the Contract or approved by the Department, as may be applicable to the project.

For materials identified in the contract or [Road and Bridge Specifications](#) as being subject to acceptance with a price adjustment, standard VDOT price adjustment procedures may be identified in the contract and may be followed based upon actual field quantities placed and prices stated in contract. This data can be obtained from VDOT District Materials office, upon request.

Material failures shall be handled in accordance with the contract requirements, the [VDOT Road & Bridge Specifications](#), and the [Materials Manual of Instruction](#). Duly qualified VDOT staff, such as the District Materials Engineer, will make the final determination with regard to disposition of materials on VDOT maintained roadways.

13.2.8 Non-Statistical Acceptance of Small Quantities of Materials

The Department may elect to allow the LPA to accept small quantities of materials without normal sampling and testing frequencies. The determination to accept materials using this provision rests solely with the Department. Structural Concrete will not be considered under the small quantity definition ([MOI Section 207.02](#)).

An item can be accepted as a small quantity if the proposed project quantity for a specific item is less than one subplot or one-half of a subplot for similar materials. Factors that the Department will consider prior to use of small quantity acceptance are:

- A. Has the material been previously approved?
- B. Is the material certified?
- C. Is there a current mix design or reference design?
- D. Has it been tested with satisfactory results within one year?
- E. Is the material structurally significant?

Small quantity acceptance may be accomplished by visual, certification, or other methods. Acceptance of small quantities of materials by these methods must be fully documented. Documentation of materials under these methods must be provided by the PM accepting the material. For visual documentation, an entry should be noted on field records, with a statement as to the basis of acceptance of the material and the approximate quantity involved. A separate list of items and quantities accepted on visual inspection shall be maintained by the LPA.

13.2.9 Records

Materials Notebook

A materials notebook must be maintained in accordance with this chapter.

Materials Test Reports



For federal aid projects or any project which will be maintained by VDOT, the LPA (consultant or contractor) shall record individual reports for all materials tests, meeting the requirements of AASHTO R18 (Establishing and implementing a quality management system for construction materials testing laboratories), [VDOT's Construction Manual](#), and the [MOI \(Chapter 8 Reports and Forms\)](#), as applicable.

~~Sign Inventory~~



~~For all projects which will be maintained by VDOT, the LPA shall provide a list of all installed signs and include location, installation date, brand, and any other pertinent information.~~

Manufacturer's Certifications / Local Tracking Numbers

For products that are not accepted through an acceptance test or are on an approved materials / products list, VDOT accepts the material by manufacturer's certification.

The certification is provided as a statement, signed by an officer of the supplier/manufacturer, that the material meets the applicable specifications, special provisions, approved drawings, other job requirements and/or Road and Bridge specifications. The certification is supported and accompanied by specific details such as project number, specification designation and bid item number. In addition, the copy of the certificate accompanying the material to the project site will include a shipping document, manifest, shipping list, and invoice. [Appendix 13.2-D](#) provides a list of materials typically accepted in this manner.



LPA's must inform manufacturers of this requirement and obtain a copy of the materials certification and confirm the certification's compliance with contract requirements upon receipt of the materials/products. The LPA will maintain a copy of all materials certifications on the job site and will become a part of the project records that will be maintained by the LPA or submitted to VDOT, as necessary.



In order to track and verify products that are accepted according to this process, the LPA is required to establish a "Locality Tracking" (LT) number for each material/product used on a federal aid project or project to be maintained by VDOT. The nomenclature for this tracking system shall be the current year followed by the UPC and LT Number(s) in sequential order (i.e. 08-85914-01), as each material is accepted. This will enable both the Locality and Department to clearly identify and review those items that require a LT Number to ensure the materials meet the requirements specified in the Contract Documents for the particular project(s).



This information is required to be recorded on an inventory list containing the name of the product, the manufacturer, and the supplier. A template Database has been developed by the Department which captures such information for VDOT Administered Projects. This information will become a component of the materials notebook and project records.

13.2.10 Independent Assurance Sampling and Testing (IAST)

In accordance with [23 CFR 637.205](#), an Independent Assurance Program, to include independent verification testing, is required for any Federal aid construction project on the NHS. It is also a VDOT requirement for any project that is maintained by VDOT. When the LPA has been authorized to administer a federal aid project on the NHS or on a Primary Route that will be maintained by VDOT, the LPA will act as VDOT's designated agent and shall be responsible for all IA testing for the project. The LPA will be required to submit a project-specific quality assurance plan that includes how IAST will be accomplished.

The frequency of independent assurance sampling and testing shall be in accordance with the VDOT [Materials Manual of Instructions \(MOI\)](#), if not otherwise stated in this manual. [Appendix 13.2-G](#) of this chapter provides independent assurance sampling frequencies for many materials. [Appendix 13.2-E](#) identifies testing tolerances which must be met for IA samples. Where tolerances are not met, corrective actions shall be taken.

13.2.11 TL-131LAP Materials Certification

A [TL-131LAP](#) (Certification of Materials) shall be completed by the LPA for all federal aid projects and projects to be maintained by VDOT. -A sample TL-131LAP form can be found in [Appendix 13.2-F](#). -The TL-131LAP is used to certify that all materials used on the project have been placed and tested in reasonable accordance with contract

specifications. -When applicable, it is also used to certify that proper IA testing was completed and that the results of the IA testing compared favorably with the QA/QC testing, when necessary. - It also certifies that all test reports have been issued and the location that the reports are stored. -The form must include failed materials and corrective actions taken, including pay adjustments. -This form must be completed after construction is finished but prior to final inspection and acceptance by VDOT. It will be addressed to the VDOT District Administrator provided to the VDOT ACE for review and verification who will forward it to the District Materials Engineer for final verification/review. For federal-oversight projects, this form is forwarded to the FHWA Division Office.

13.2.12 Miscellaneous References




- [VDOT Construction Manual](#)
- [VDOT Road and Bridge Specifications](#)
- [VDOT Materials Manual of Instructions:](#)
 - [VDOT Materials Division Memorandum MD 299-07](#)
 - [VDOT Forms](#)
 - [Source of Materials Resource Document](#)
 - [Materials Notebook Resource Document](#)
- ~~[VDOT Materials Division Memorandum MD 299-07](#)~~
- ~~[VDOT Forms](#)~~
- ~~[Source of Materials Resource Document](#)~~
- ~~[Materials Notebook Resource Document](#)~~

Chapter 13.2 Materials Quality Assurance Checklist

These checklists can be found in their entirety in the [VDOT online forms library](#)

CH 13.2 - Materials Quality Assurance

Materials testing and documentation is the responsibility of the LPA through its Project Manager (PM) and the Project Construction Engineer (PCE). Required inspections and tests shall comply with this guide, contract requirements, approved plans, VDOT Road and Bridge Specifications, VDOT Materials Division Manual of Instructions (MOI), as necessary.

<i>SUBMIT</i>	<i>COMPL</i>	<i>F</i>	<i>S-V</i>	<i>S-L</i>	<i>T-A</i>	<i>UCI</i>	<i>Requirement</i>	<i>Reference</i> <i>LAP Other</i>	
	<input type="checkbox"/>	X	X	--	X	X	Develop and Submit Quality Assurance Plan to include Independent Assurance Sampling and Testing as required	13.1.5.3 13.2.3 13.2.11	23CFR637.205
	<input type="checkbox"/>	X	X	--	X	X	Source of materials documentation (C-25)	13.2.3	
	<input type="checkbox"/>	X	X	--	X	X	Identify need for VDOT to perform source/plant inspections (fees may apply)	13.2.4 Appx 13.2 B-1	
	<input type="checkbox"/>	X	X	--	X	X	Certified inspectors records maintained	13.2.5	
	<input type="checkbox"/>	X	X	--	X	X	Materials notebook initiated and maintained throughout project	13.2.7 13.2.10	23CFR635.123
	<input type="checkbox"/>	X	X	--	X	X	Materials test reports maintained	13.2.10	
	<input type="checkbox"/>	X	X	--	X	X	Sign inventory created and submitted	13.2.10	
	<input type="checkbox"/>	X	X	--	X	X	Manufacturers Certifications and Local tracking numbers established for materials accepted by manufacturer certification	13.2.10	
	<input type="checkbox"/>	X	X	--	X	X	Independent assurance plan developed and samples collected for NHS projects and projects on Primary Routes	13.2.11	23CFR637.205
	<input type="checkbox"/>	X	X	--	X	X	Complete and maintain TL-131 Materials Certification	13.2.12	

Appendix 13.2 – A

Definitions

- Acceptance Testing (AT) – Sampling, testing, and the assessment of test results to determine whether or not the quality of produced material or construction is acceptable in terms of the specifications. Acceptance tests are compared to the specifications for compliance with material or construction specification limits. They may be the average of several tests as is the case in testing performed on a lot/sub-lot basis, rather than individual sample results. The acceptance tests may be one of the quality control tests, but should be considered differently.
- Hold Point – Mandatory verification points identified within the Contract, QA/QC Plan, and/or LAP manual beyond which work cannot proceed until mandatory verification is performed and a written release is granted by the Department.
- Independent Assurance (IA) – A management tool that requires an independent party, not directly responsible for quality control or acceptance testing, to provide an independent assessment of the product and/or the reliability of test results obtained from the quality control or acceptance testing. The independent party requirement may be satisfied through the use of different CEI consultants or different individuals within one or more of the CEI firms, the LAP, or VDOT. The results of independent assurance tests are not to be used as a basis of product acceptance. Independent assurance samples are used to evaluate the accuracy of acceptance sampling and testing, operations and equipment. Independent assurance sampling and testing is generally performed on split samples to eliminate variability of results that would be expected from testing different samples. The results are to be compared with the results from the acceptance test performed on the split sample to ensure those test results are reasonable. The IA results are not compared to the specification limits.

- Quality Assurance (QA) – All those planned and systematic actions necessary to provide confidence that a product or service will satisfy given requirements for quality. It is the process of determining the accuracy of sampling and testing results by examining the data and/or providing objective evidence to verify the quality control sampling and testing which is used in the acceptance decision.
- Quality Control (QC) – also called “process control” are those actions and considerations necessary to assess production and construction processes so as to control the level of quality of the end product. This concept of quality control includes sampling and testing to monitor the process in addition to acceptance sampling and testing. Quality control testing and monitoring may be done on various processes from the beginning until the final step where the acceptance sample is the last stage of quality control. It should be a formalized process to ensure compliance with specifications when acceptance testing is performed. Quality control demands that the process be displayed and updated on a continuing basis. Quality Control Charts are valuable tools in demonstrating compliance to specifications.
- Verification Sampling and Testing (VST) - All sampling and testing performed to validate the quality of the product. The sample is taken independently from QC or IA testing (including equipment and personnel) and the result is compared to the specification. VST is performed to validate the sampling and testing program.

Appendix 13.2 – B

Summary of Requirements Table & Regulatory References

<u>Task/Submittal File Documentation</u>	<u>LPA Responsibility</u>	<u>VDOT Responsibility</u>	<u>Submittal Timing / Recordkeeping Requests</u>
<ul style="list-style-type: none"> Project QAP – if LPA has developed their own 	Submit to VDOT P.C.	Review / Approve with PS&E	Prior to PS&E; typically during final plan review; Maintain with Project Records
<ul style="list-style-type: none"> C-25 (Source of Materials) 	Prepare / ensure only approved products / sources listed	Review and approve within 10 business days;	Within 7 days after Pre-Construction meeting but no later than 2 weeks prior to using materials on the project
<ul style="list-style-type: none"> Request for Source Inspection for manufactured materials at locations other than job site 	Provide Document on C-25	Review and approve within 10 business days; provide cost estimate	With the C-25
<ul style="list-style-type: none"> Inspector Qualifications for fabricated Items or Request that VDOT perform inspection 	Provide Inspector qualifications or details on fabricated items	Review and approve within 10 business days; provide cost estimate	With the C-25
<ul style="list-style-type: none"> Materials Notebook 	Maintain materials notebook to adequately document all materials on site	Provide assistance as needed to establish; periodically review during inspections	Maintained at Job-site and available for inspection; For LPA's operating their own highway system – materials notebook to be maintained and available for inspection 3 years after financial closure of project; For projects to be operated by VDOT, a copy of the materials notebook must be submitted prior to project acceptance.
<ul style="list-style-type: none"> Materials Acceptance Technician Records 	Document the names and qualifications of all testing technicians	Review prior to final acceptance	Submitted with Materials Notebook
<ul style="list-style-type: none"> TL – 131 (LPA Materials Certification) 	Submit final certification of materials used on site	N/A	Prior to project acceptance / after final inspection

Regulatory References

- [23 CFR 635](#) (non–NHS Requirements)
- [23 CFR 637](#) (NHS requirements)

Appendix 13.2 – C

C-25 Example

VIRGINIA DEPARTMENT OF TRANSPORTATION SOURCE OF MATERIALS

SUBMITTED _____

PROJECT NUMBER EN97-080-115, C502 (UPC 103495) CONTRACT ID. NO. Hanging Rock Trail

PROJECT LOCATION 1.27 Mi. E Rte 795 DISTRICT Salem COUNTY Roanoke

PRIME CONTRACTOR with ADDRESS	SUB-CONTRACTOR with ADDRESS	NAME and TELEPHONE NO. of CONTACT PERSON
Joe Smith		Joe Smith
4321 Expansion Drive		804-555-9999
Richmond, VA 231219		

ITEM NO.	SPEC. NO.	ITEM DESCRIPTION	MANUFACTURER and/or SUPPLIER	COMPLETE ADDRESS	VDOT/LOCALITY USE INSP/TEST BY:
27505	303	Temporary Silt Fence	A.H. Harris	3535 Brandon Ave. Roanoke, VA. 24018	VDOT Supplier QA Approved List 44 – tested material
		Structural Steel Plate Girder Material Shear Studs	Nelson Stud Welding	7900 West Ridge Rd Elyria, OH 44036	Approved List 15
64110	403	Steel Piles, 12"	Skyline Steel	7426 Alban Station Springfield VA 22150	LT Number Required
		4" N 12 HDPE Pipe	ADS	510 Factory Street Buena Vista VA 24416	Approved List 42
22501	242	1047-6-11 Class 3 Woven Wire	Stephens Pipe and Steel	2224 HWY 619 Russell Springs KY 42642	Approved List 69
50204	700	6" X 8" Wood Post Pressure Treated	Acme Wood Preserving	PO Box 1717 Princeton WV 24740	Approved List 45
00596	302	Precast EW-12 and Precast Items	Permatile Concrete	260 Shanks Road Blountville TN 37617	VDOT Precast QA Program Approved List 34
13310	505	Guardrail Terminal GR-6 NCHRP 350	Gregory Industries	4100 13 th St Canton OH 44708	Approved List 12 and L&D NCHRP 350 list
16242	308 & 309	Aggregate Base Material 21B	Luck Stone Corporation	Po Box 687 Keswick VA 22902	Culpeper Materials will perform plant testing when requested by LPA.

1126	302	Concrete Pipe	Hanson Pipe and Products	2725 Roanoke Ave Roanoke VA 24105	VDOT Concrete Pipe Program Approved List 26
40161	520	8",12",16" DI Water Main 12 " sanitary Sewer Pipe	Consolidated Pipe and Supply	225 11 th St Roanoke VA 24013	LT Number Required
65013 60404	404	Class A3, A4 Concrete	Boxley Concrete	15580 Lynchburg Turnpike Roanoke VA 24064	Approved Mix Design Salem Materials Cylinders to be made by locality or their representative.
10612 10636	315	Asphalt Concrete TY BM-25.OA, SM-9.5D	L. H. Sawyer Paving Company	2101 Salem Industrial Drive Salem VA 24153	Approved Mix Design Salem Materials will perform plant testing when requested by LPA.
27250	603	Lime	Rockydale Quarries	4754 Old Rocky Mount Road Roanoke VA 24019	Approved List 6
24505	ATTD	Sign Panel	Interstate Highways	7415 Lindesy Road Little Rock AK 72206	LT Number Required
51180	703	Electrical and Signalization Items	Atlantic Technical Sales	14555 Lee Road Chantilly VA 20151	LT Number Required
51347	700	Signal Poles and Mast Arms	Atlantic Technical Sales	14555 Lee Road Chantilly VA 20151	Request Inspection from C.O. Structures section.
68125	407	Structural Steel Rolled Beams	Hirschfeld Industries Bridge	Po Box 20888 Greensboro NC 27420	Request Inspection from C.O. Structures section
68100	406 & 412	Reinforcing Steel	Transcon Supply	2565 John Wayland Highway Harrisonburg VA 22803	Accepted on Manufactures Certification
61115	405	Prestressed Concrete Bulb T Girders	Bayshore Concrete Products	Cape Charles VA	Request Inspection from C.O. Structures section

Items listed are for materials quality acceptance and do not include contract requirements such as BUY AMERICIA

PAGE _____ of _____

Appendix 13.2 – D

List of Products Requiring LT #

LT item	Required Documentation
Anchor Bolts for Str. Steel Plate Girder ASTM A709M	Mill reports, Galv. Cert
Anchor Bolts, Nuts & Washers	Cert. of Conformance or Mill reports, Galv. Cert
Bolts ASTM A 307 General use	Mill report, Galvanization Certification
High strength bolts A325, A449, A490	Mill reports, Galv. Cert, (Rotational Capacity), field testing
Fabricated Aluminum Structures	Shop inspected
Bend, Branch, Plug or Cap, Reducer	Cert and or approved catalog cuts
Blow-off Valve & Box	Cert and or approved catalog cuts
Bridge Incidentals Fender System (Bolts)	Mill reports
Cable Terminal Enclosure CTE-2 Ty. C	Cert and or approved catalog cuts
Conduit Bored	Cert and or approved catalog cuts
Conduit Supports	Cert, mill report
Control Center CCW-1	Cert and or approved catalog cuts
Deflection/Expansion Fittings	Cert and or approved catalog cuts
DI Sanitary Sewer Pipe	Cert and or approved catalog cuts
DI Water Main	Cert and or approved catalog cuts
Elastomeric Expansion Dam	Independent Test data for rubber, Mill report steel
Elastic Inclusion	Cert and analysis
Elastomeric Bearing Pads	Test by CO Materials – 2 pads per design
Expansion Plates	Mill reports
F. R. P. Jacket	Cert, Physical analysis
Fire Hydrant	Cert and or approved catalog cuts
Fixed Bollard, Hinged Bollard	Certification
Gabions	Certification, catalog cuts
Galvanized Pyramid Trash Rack	Cert, mill, galv cert
Galvanized Steel Channels	Cert, mill report, galv cert
Galvanized Swedge Bolt, Nut, Plate Washer	Mill reports, Galv. Cert
Gas Main	Cert and or approved catalog cuts
Gas Main Steel	Cert and or approved catalog cuts
Gas Service Line	Cert and or approved catalog cuts
Handrail	Shop inspected
HDG Steel Plate	Mill report, Galv cert
Hydro Control Feature	Certification
Impact Attenuator	Certification

Lighting Pole (Bases)	Cert, mill report
Lumi Trak System O/H 1	Cert, Catalog Cuts
Luminaire H.P.S	Cert and or approved catalog cuts
Magnetic Detector Amplifier	Cert and or approved catalog cuts
Magnetic Detector Sensing Element TD-2	Cert and or approved catalog cuts
Metal Pipe Steel Sleeve	Cert, mill report
O/H Sign Structure Anchor Bolts	Cert & Mill report & galvanization cert.
Overlay Sign Panel	Mill report, sheeting certification
Pedestal Pole	Cert & Mill report
Pedestrian Actuation PA-2	Cert and or approved catalog cuts
Prefabricated Steel: Anchor Rods, Nut and Washers	Cert & Mill report & galvanization cert.
PVC Pipe	Cert and or approved catalog cuts
PVC San. Sewer Pipe	Cert and or approved catalog cuts
Railing, Aluminum	Shop Inspected
Retaining Wall Gabion Wire	Certification, catalog cuts
Road Edge Delineator Post	Cert and mill report
S.S. Rods with Nuts & Washers	Cert and mill report
Sanitary Service Lateral Connection	Cert and or approved catalog cuts
Sanitary Service Lateral Connection	Cert and or approved catalog cuts
Sanitary Sewer Force Main	Cert and or approved catalog cuts
Scupper & Grate, Downspouts	Certification
Sign Panel	Cert & Mill report, sheeting certification
Sign Post Steel	Cert & Mill report
Signal Poles and or Light Poles	Shop Inspected.
Silicone Joint Sealant	Cert and analysis
Soil Nailed Wall	Cert to special provisions (Break down of material)
Sole Plates	Cert & mill report
Soundwall Steel Plates	Cert & Mill report
Split Mega-Lugs	Cert and or approved catalog cuts
Spread Spectrum Radio	Cert and approved catalog cuts
Steel Encasement Pipe	Certification
Fabricated Structural Steel	Shop inspected
Steel Piles	Cert, mill report (Heat number on Invoice)
Steel Pipe Pile	Cert, mill report (Heat number on Invoice)

Steel Sheet Piling	Cert, mill report (Heat number on Invoice)
Storm Water Management Drainage Str. SWM-1 (Orifice Plate)	Cert , mill report
Structural Steel Paint	Certification with product numbers
Tapping Sleeve and Valve	Cert and or approved catalog cuts
Toggle Bolts	Cert, mill report
Traffic Sign Bridge Mounted Sign Structure	Shop Inspected. If not cert and mill report
Traffic Sign Flashing School Zone	Cert and or approved catalog cuts
Traffic Sign Illum. Street Name	Cert and or approved catalog cuts
Traffic Sign Post USP	Cert, mill report, galv. Cert
Traffic Signalization Antenna Cable	Cert and or approved catalog cuts
Traffic Signalization Antenna Mast	Cert and or approved catalog cuts
Traffic Signalization Camera	Cert and or approved catalog cuts
Traffic Signalization Emergency Preempt Detector Cable	Cert and or approved catalog cuts
Underbridge Lighting System	Cert and or approved catalog cuts
Video Detection Equipment	Cert and or approved catalog cuts
Wall/ H-Pile	Cert, mill report
Water Service Line	Cert and or approved catalog cuts

Appendix 13.2 – E

Independent Assurance Tolerances

Test	IA Comparison Tolerance	Source
Soil/ Aggregate Wet Density using Nuclear gauge in Direct Transmission	CL Soil – 1.91 pcf ML Soil – 2.15 pcf SP Soil – 1.86 pcf	AASHTO T-310 / VTM 10
Soil/Aggregate Density using Sand Cone	2.0 pcf	ASTM D1556 / AASHTO T-217
Soil/Aggregate Moisture using Nuclear gauge (backscatter)	CL Soil – 1.44 pcf ML Soil – 1.63 pcf SP Soil – 2.10 pcf	AASHTO T-310 / VTM 10
Soil/Aggregate Moisture determined by oven dry	14% difference*	ASTM D2216 / AASHTO T-265
One Point Proctor - density	4.5 pcf	AASHTO T-99 Method A
One Point Proctor - moisture	15% difference*	AASHTO T-99 Method A
Concrete Slump	0.82 inch for 1" to 2" slump 1.10 inch for 3" to 4" slump 1.50 inch for 5" to 6" slump	ASTM C143
Concrete Air-	0.8% points using pressure meter 32% difference using roller meter	ASTM C 231 ASTM C 173
Concrete Temperature	1 degree F	ASTM C 1064
Concrete Unit Weight	2.31 pcf	ASTM C 138
Concrete Permeability	51% difference*	VTM 112
Concrete Strength	8% difference on the average of 3 cylinders	ASTM C39 ASTM C31
Asphalt Bulk Specific Gravity	0.02	AASHTO T-166 / VTM 6
* Percent difference calculation shall be $\% \text{ diff} \leq \left(\frac{\text{absolute value}[W1-W2]}{(1/2) * (W1+W2)} \right) * 100$		

*These IA tolerances are meant to be used when comparing split samples tested independently by QC tester with their test equipment and IA tester with his/her test equipment. These tolerances are based on the D2S rating between laboratories. Example: the QC test for slump on concrete sample taken out of a wheel barrow is 5 ¼ ". The IA test on that same sample (out of the same wheel barrow) should be within 3 ¾" to 6 ¾" to be considered confirming the test equipment and procedures between the two tester is the same.

Appendix 13.2 – F

Materials Certification Statement

Example TL - 131LAP

CERTIFICATION OF MATERIALS

VDOT District Administrator

Route: 7900 Project Number: 7900-029-363, C501

County: Fairfax FHWA Number: CM-5401(701)

Description:

Dear Sir/Madam:

This letter certifies that:

The results of the tests used in the acceptance program indicate that the materials incorporated in the construction work, and the construction operations controlled by sampling and testing, were in conformity with the approved plans and specifications.

All independent assurance samples and tests that are evaluated on a project basis were within tolerance limits of the samples and tests that are used in the acceptance program. Independent assurance comparisons for plant produced hot mixed asphalt and central mix aggregates are assessed on a system basis and reported annually by VDOT Materials Division¹.

Appropriate reports covering tests or certifications as to conformity with specifications of materials used on the project are on file by project number in the office of the (insert Locality and office location)

Exceptions to the plans and specifications are explained in the enclosed.

Sincerely,

LPA Construction Project Manager

cc: VDOT Construction Project Monitor
VDOT Contract Administrator
VDOT District Materials Engineer

¹ Delete this sentence if VDOT QA program is not used and insert Independent assurance comparisons for plant produced hot mixed asphalt and central mix aggregate were evaluated at the plant by Locality according to their IA program outlined in their QA Plan.

Appendix 13.2– G

Materials Testing Methods and Frequencies

Locally Administered Projects using:

1. Design-Bid-Build model where the locality is providing:
 - a. The inspection and testing staff
 - b. Requesting VDOT to provide inspection and testing
 - c. Hiring an Engineering consultant firm for inspection and testing*

*The consultant must be independent from the contractor performing the construction work.

Shall use the Acceptance/VST/IA Frequency tables included in this appendix for acceptance and Independent Assurance (IA) testing. If a testing method or frequencies is not cited, the Materials Manual of Instruction test method and frequencies shall be used. Some Quality Assurance programs depend on project samples to be tested for verification. These are denoted as verification samples and tests (VST) in the tables.

Locally Administered Projects using:

1. Design-Build model
2. Public-Private Partnership delivery model
3. Contractor performs testing (QC testing)

Shall use the Tables of [Minimum Requirements for Quality Assurance and Quality Control on Design-Build and P3 Projects](#) published in the latest Minimum Requirements for Quality Assurance and Quality Control on Design Build and Public-Private Transportation Act Projects.

Acceptance/VST/IA Frequency - Soil & Aggregate

Material Type	Spec Section	Test Reference	Acceptance Testing	VST	IA
Backfill	Contract Special Provisions				
Moisture Density Relations- Standard Proctor, Atterberg Limits & Grain Size Analysis (All Backfill Types)		VTM-1, VTM-7, & VTM-25	Done during project development	NA	Non required if performed in VDOT or AMRL accredited laboratory
One Point Proctor Check Compare to Nuclear Gauge		VTM 012	As needed.	NA	Run split sample when needed. 1 test per project to check procedure and equipment.
In Place Density Tests:					
Box Culverts, Pipes & other Drainage Structures	302,303	VTM-10	A minimum of one (1) test shall be performed per lift on alternating sides of the structure for each 300 linear ft. or portion thereof in structure length. This test pattern shall begin after the first 4-in. compacted layer above the structure's bedding and shall continue to one (1) foot above the top of the structure.	NA	One IA shall be conducted on each compaction technician once per project regardless of the structure or material type (box culvert, pipe, Abutment, retaining wall or embankment). IA shall consist of a split density test in situ, observing technician technique, checking equipment calibrations and calculations.

Abutments, Retaining Walls and MSE Walls	Sections 303,401	VTM-10	<p>A minimum of two (2) tests every other lift up to 100 linear ft. shall be performed. Testing shall be performed behind these structures at a distance from the heel no farther than a length equal to the height of the structure plus 10 ft.</p> <p>For MSE Walls, Less than 100 linear ft. a minimum of one (1) test every other lift shall be performed. The testing shall be performed a minimum distance of 8 ft. away from the face of the wall, to within three feet of the back edge of the zone of the reinforced fill area. Test sites shall be staggered throughout the length of the wall to obtain uniform coverage. Testing shall begin after the first two (2) lifts of reinforced fill have been placed and compacted. Walls more than 100 linear ft., a minimum of two (2) tests every other lift not to exceed 200 linear ft. shall be performed.</p>	NA	One IA shall be conducted on each compaction technician once per project regardless of the structure or material type (box culvert, pipe, Abutment, retaining wall or embankment). IA shall consist of a split density test in situ, observing technician technique, checking equipment calibrations and calculations.
SOILS/ EMBANKMENT					

Moisture Density Relations- Standard Proctor, Atterberg Limits & Grain Size Analysis (Soils/Embankment)		VTM-1, VTM-7, & VTM-25	Done during project development	NA	1 test per year during production; minimally perform one (1) in first five (5) tests taken for QA
One Point Proctor Check Compare to Nuclear Gauge (Soils/Embankment)		VTM 012	As needed.	NA	1 test per year during production; minimally perform one (1) in first five (5) tests taken for QA
Embankment in Place Density (Soils/Embankment)	Sect. 303	VTM-10	The minimum number of field density tests required shall be one for each 2500 yd ³ or less of fill material placed, with the following additional requirements: (a) For fill areas less than 500 ft. in length, a minimum of one (1) field density test for every other 6-in. compacted layer from the bottom to the top of fill starting with the second lift. (b) For fills 500 to 2000 ft. in length, a minimum of two (2) field density tests for each 6-in. compacted layer within the top five (5) ft. of fill. (c) For fills greater than 2000 ft. in length, break into equal sections not to exceed 2000 ft. and test each section in accordance with (b) above.	NA	One IA shall be conducted on each compaction technician once per project regardless of the structure or material type (box culvert, pipe, Abutment, retaining wall or embankment). IA shall consist of a split density test in situ, observing technician technique, checking equipment calibrations and calculations
Subgrade	Sec. 305	VTM-10	In the finished subgrade in both cut and fill sections, a minimum of one (1) test represented by the average of five nuclear density	NA	One IA shall be conducted on each compaction technician once per project regardless of the structure or material type (box culvert, pipe, Abutment,

			readings shall be performed for each 2000 linear ft. of subgrade for each roadway (full width).		retaining wall or embankment). IA shall consist of a split density test in situ, observing technician technique, checking equipment calibrations and calculations
Aggregate Base and Subbase Material	VDOT Sections 306, 307, & 309				
Depth Checks		VTM-38	<p>For Method VTM-38A, one (1) depth test shall be conducted for each one-half (1/2) mile of stabilization per paver (mixer) application width. In other words, each separately applied width of stabilization, regardless of roadway width, shall require a series of tests.</p> <p>For method VTM-38B, the project shall be divided into lots, with each lot stratified, and the location of each test within the stratified section determined randomly. A lot of material is defined as the quantity being tested for</p>	NA	Minimum of one per project, unless quantity of individual material(Base, sub-base, etc.) is less than 500 tons per project, in which case no IA test required for that material

			<p>acceptance, except the maximum lot size shall be two (2) miles for each paver application width. The randomization procedure used shall be at the direction of the Engineer. (See VTM-38 for example.) Samples shall be taken from the lot at the following rate:</p> <p>Lot Size No. of Samples Required</p> <p>0 - 1 Mile 2</p> <p>1 - 1 1/2 Miles 3</p> <p>1 1/2 - 2 Miles 4</p>		
In Place Density		VTM-10	<p>When the subgrade, consisting of material-in-place or imported material other than aggregate base, subbase, or select material, is stabilized with cement or lime, one density test (average of 5 readings) shall be conducted for each one-half (1/2) mile of stabilization per paver (mixer) application width. In other words, each separately applied width of stabilization, regardless of roadway width, shall require a separate series of tests.</p>	NA	<p>One test per project, consisting of the average of 5 readings. Minimum of 5 readings per project, unless total quantity of individual material(Base, sub-base, etc.) is less than 500 tons per project, in which case no IA test</p>

Treated Subgrade/Subbase, Aggregate Base Material, and Cement Treated Aggregate Base Material	VDOT Sections 306, 307, & 309				
Depth Checks		VTM-38	<p>For Method VTM-38A, one (1) depth test shall be conducted for each one-half (1/2) mile of stabilization per paver (mixer) application width. In other words, each separately applied width of stabilization, regardless of roadway width, shall require a series of tests.</p> <p>For method VTM-38B, the project shall be divided into lots, with each lot stratified, and the location of each test within the stratified section determined randomly. A lot of material is defined as the quantity being tested for acceptance, except the maximum lot size shall be two (2) miles for each paver application width. The randomization procedure used shall be at the direction of the Engineer.</p>	NA	Minimum of one per project, unless quantity of individual material(Base, sub-base, etc.) is less than 500 tons per project, in which case no IA test required for that material

			(See VTM-38 for example.) Samples shall be taken from the lot at the following rate: Lot Size No. of Samples Required 0 - 1 Mile 2 1 - 1 1/2 Miles 3 1 1/2 - 2 Miles 4		
In Place Density		VTM-10	When the subgrade, consisting of material-in-place or imported material other than aggregate base, subbase, or select material, is stabilized with cement or lime, one density test (average of 5 readings) shall be conducted for each one-half (1/2) mile of stabilization per paver (mixer) application width. In other words, each separately applied width of stabilization, regardless of roadway width, shall require a separate series of tests.	NA	One test per project, consisting of the average of 5 readings. Minimum of 5 readings per project, unless total quantity of individual material(Base, sub-base, etc.) is less than 500 tons per project, in which case no IA test
Clearing and Grubbing	VDOT Section 301				
Ensure activities are confined to limits and seeded within 30 days of disturbance		N/A	Daily		Weekly

Erosion and Siltation Control	VDOT Section 303.03 & Current Virginia DCR Specifications				
Monitor for correct installation and Maintenance		N/A	Daily		After rain event
Undercut	VDOT Section 303.04				
Review area to determine need for undercut		N/A	Prior to start of work at each location	All reports reviewed by Locality Project Manager to verify qualified inspector and correct equipment	One (1) report reviewed per month during production to verify qualified inspector and qualified personnel
Measure undercut area		N/A	Prior to backfill at each location	All calculations/reports checked/reviewed by Locality Project Manager to verify qualified inspector and correct equipment	One (1) calculation/report checked/reviewed to verify qualified inspector and correct equipment
Overlay Sands					
Grade D Silica Sand	Special Provision		One bag per project tested in AMRL lab.	NA	NA

Acceptance/VST/IA Frequency - Hydraulic Cement Concrete

Material Type	Spec Section	Test Reference	Acceptance Testing	VST	IA
Cast-In-Place Structures and Bridge Concrete	VDOT Section 217				
Concrete Entrained Air Content (CIP Concrete)	217.08	ASTM C231 or C173	Test every load, except for bridge decks, in which case one test per truck-load for the first 3 trucks and then one test for every third truckload thereafter, provided results remain within 1.0% of median of design range. Test also required when making compressive specimens	NA	One test shall be made on the same batches of concrete from which cylinders are taken
Slump of Hydraulic Cement Concrete (CIP Concrete)	217.08	ASTM 143	Test every load and when making compressive specimens	NA	One test shall be made on the same batches of concrete from which cylinders are taken
Temperature of Concrete (CIP Concrete)	217.10	ASTM C1064	Test every load and when making compressive specimens	NA	One test shall be made on the same batches of concrete from which cylinders are taken

Compressive Strength of Concrete Cylinders (CIP Concrete)	217.08	ASTM C31 & C39	One set of three cylinders per every 100 CY and at least two sets of cylinders per structure per class of concrete.	NA	Minimum of one set per 1000 cubic yards of structural concrete. Not required for projects having less than 300 cubic yards. Cylinders should be from the same load as acceptance samples.
Chloride Permeability Concrete Cylinders (CIP Concrete)	Check Plan sheets	VTM-112	One set of two cylinders per every 100 CY and at least two sets of cylinders per structure per class of concrete.	NA	Non required if performed in VDOT or AMRL accredited laboratory
Concrete Reinforcing Steel (CIP Concrete) elongation, yield strength and ultimate strength	223	ASTM A615	Accepted based on certification provided by the fabricator. Verify manufacturer's certificates for every shipment for acceptance prior to placement.	One sample per project per manufacturer per most common size bar.	Non required if performed in VDOT or AMRL accredited laboratory
Pavement	VDOT Section 217				
Concrete Entrained Air Content (Pavement)	217.08	ASTM C231 or C173	One test per hour & when casting flexural specimens	NA	One test per four roadway miles or fraction thereof, with a minimum of one per project

Slump of Hydraulic Cement Concrete (Pavement)	217.08	ASTM 143	Two tests daily & when making flexural specimens	NA	One test shall be made on the same batches of concrete from which cylinders taken
Temperature of Concrete (Pavement)	217.10	ASTM C1064	One test per hour & when casting flexural specimens	NA	One test shall be made on the same batches of concrete from which cylinders taken.
Compressive Strength of Concrete Cylinders (Pavement)	217.08	ASTM C31 & C39	If pavement is accepted based on cylinder strength. One (1) set of three (3) cylinders cast for every 100 cy and at least one for each days concreting operation	NA	Minimum one set per 1000 cubic yards of structural concrete, except that IA will not be required for projects having less than 300 cubic yards.
Flexural Strength Beams	316.04	ASTM C293	If pavement is to be used as haul road or prior to 14 days then, At least one beam cast for each days concreting operation.	NA	NA
Concrete Reinforcing Steel (pavement) elongation, yield strength and ultimate strength	223	ASTM A615	Accepted based on certification provided by the fabricator. Verify manufacturer's certificates for every shipment for acceptance prior to placement.	One sample of two pieces 24 inches long from the most prevalent bar size per structure, with no two samples being the same size	Non required if performed in VDOT or AMRL accredited laboratory
Miscellaneous Concrete	VDOT Section 217				
Concrete Entrained Air Content (Miscellaneous Concrete)	217.08	ASTM C231 & C173	One test per day and when making compressive specimens	NA	NA

Slump of Hydraulic Cement Concrete (Miscellaneous Concrete)	217.08	ASTM C143	One test per day and when making compressive specimens	NA	NA
Temperature of Concrete (Miscellaneous Concrete)	217.10	ASTM C1064	One test per day and when making compressive specimens	NA	NA
Compressive Strength of Concrete Cylinders (Miscellaneous Concrete)	217.08	ASTM C31 & C 39	One (1) set of three (3) cylinders per every 250 CY and at least one set per day	NA	One (1) set of three (3) cylinders per every 25,000 CY (cumulative) minimum 1 per project.
Concrete Reinforcing Steel (Miscellaneous Concrete)	223	ASTM A615	Accepted based on certification provided by the fabricator. Verify manufacturer's certificates for every shipment for acceptance prior to placement.	One sample of two pieces 24 inches long from the most prevalent bar size per structure, with no two samples being the same size	Non required if performed in VDOT or AMRL accredited laboratory
Concrete Curing Materials	VDOT Section 220				
Burlap		AASHTO M182, class 3	Verification of LM # and lot numbers if from QA supplier Approved list 44, if not test one sample per lot number	NA	Non required if performed in VDOT or AMRL accredited laboratory
White liquid membrane Curing Compound		VTM - 2	Verification of LM # and batch numbers if from QA supplier Approved list 44, if not test one sample per batch number	NA	Non required if performed in VDOT or AMRL accredited laboratory
Fugitive Dye Liquid Membrane Curing Compound		VTM - 2	Verification of LM # and batch numbers if from QA supplier Approved list 44, if not test one sample per batch number	NA	Non required if performed in VDOT or AMRL accredited laboratory

Polyethylene Film		AASHTO M171	Verification of LM # and lot numbers if from QA supplier Approved list 44, if not test one sample per lot number	NA	Non required if performed in VDOT or AMRL accredited laboratory
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QC/VST/IA Frequency - Asphalt

Material Type	Spec Section	Test Reference	Contractor QC Testing	VST	IA
Asphalt Concrete Pavement	VDOT Section 315				
Pavement Density by Nuclear Method with In Place Pavement Density (Asphalt Pavement)		VTM-76, VTM-6	Establish Roller pattern, control strips and test sections, 10 stratified random density test sites per test section (5,000 ft.)	VST is performed on Twenty (20) percent of QC lots. Obtain two cores in one randomly selected QC lot out of five lots to verify in place density. Minimum one VST sample per project.	IA=10%*QC Readings Locality representative observe and witness QC testing to assure gauge is calibrated and accurate. Observe and verify test sites are random and match selected sites. Verify that QC tests are done using proper procedures. Observe one control strip per density technician and obtain all cores from control strip for reweighing in laboratory (randomly select a minimum 10% of cores) to confirm field density testing.

In Place Pavement Density (for all asphalt except Stone Matrix Asphalt (SMA))		VTM-006; VTM-32	Density - min. 1 core per location not long enough to establish roller pattern/control strip	Density - One (1) random core per 10 QC locations. Independent of contractor cores.	Obtain cores taken for density. Reweigh at least 10% of these cores in laboratory to confirm density. Observe one (1) density determination per ten (10) locations performed by QC technician. Minimum 1 per project.
Depth Checks		VTM-32	Depth checks of surface and intermediate material required only if specific plan depths are called for, not when plans specify rate of application. One (1) per 1/2 mile per lane width, minimum one (1) test per roadway, maximum lot size 2 mile (4 tests)	NA	Select one (1) QC core per five (5) lots and remeasure thickness. A minimum of one (1) per project.
In Place Pavement Density and Depth Checks by cores for Stone Matrix Asphalt (SMA)		VTM-006	Establish trial section and test sections. Minimum of one (1) sample per 1,000 feet with a maximum of 5 samples per day/night's production for density and depth for test sections. Three (3) cores for test strip.	Two (2) stratified random cores per one day/ night production obtained independently of contractor. Minimum two (2) per project.	Locality Representative Independently weigh and measure a minimum of one (1) QC core per day/night's production Locality representative will observe the taking of these cores and will maintain control of these cores once obtained
Permanent Pavement Marking	VDOT Section 512		Contractor QC Testing	VST	IA

Permanent Pavement Marking - Preformed Tape		VTM-94	Daily perform VTM 94 at start up with periodic checks every three hours of operation	Randomly select three (3) ten foot in place sections of markings per day and measure thickness and width. Skip lines and edge lines are considered separately. Inspect PM for correct placement, straightness and edges. Observe the bead embedment, color (night and day) and brightness/reflectivity. Inspect structure of tape to ensure patterned waffles have not been damaged by roller	Review all C-85 reports during production to verify that plan quantities match application quantities and that daily measurements are performed according to VTM 94.
Permanent Pavement Marking - Liquid Materials (Paint, thermoplastic and epoxy)		VTM-94	Daily perform VTM 94 at start up with periodic checks every three hours of operation	Randomly select three (3) ten-foot in place sections of markings per day and measure thickness and width. Skip lines and edge lines are considered separately. Inspect PM for correct placement, straightness and edges. Observe the bead embedment, color (night and day) and brightness/reflectivity. Review application rates to ensure proper thickness has been applied	Review start up calibrations. Ensure one plate sample is taken and tested for thickness, width, bead distribution and embedment. Retain sample for further testing if needed. Review all C-85 reports during production to verify that calculated quantities match application rates and that daily measurements are performed according to VTM 94.

QC/VST/IA Frequency - Misc Roadway and Structure

Material Type	Spec Section	Test Reference	QC Testing	VST	IA
Pre-cast Structures	VDOT Section 404				
Verify bedding material is installed properly and that pre-cast materials are not chipped or cracked		N/A	Daily and when shipment arrives on project	Inspect Precast structure before backfilling operations begin.	Inspect Pre-cast structures when received on job site. Inspect bedding before setting structure.
Load Bearing Piles	VDOT Section 403				
Monitor operation and document blow counts		N/A	Continuously	Review documentation weekly.	Daily
Perform Center of Gravity Calculations		N/A	For each Foundation	one out of every twenty (20) foundations	one out of every ten (10) foundations
Structural Steel	VDOT Section 407				
Receive Bolts, sample, verify the documentation is complete and perform laboratory Skidmore, tension and galvanized coating testing	VDOT 226.02(h)		Each nut-bolt-washer (NBW) assembly lot shall be sampled at a minimum rate of 2 assemblies per NBW lot.	Ea. NBW assembly lot shall be tested, one bolt in direct tension, one assembly for galvanized coating and one nut and bolt for rotational	The documentation shall be reviewed to insure all parts are present and that the required tests have been performed by the producers and that the markings match the

			The documentation shall be collected from the bolt supplier and the galvanizer for each lot and supplied along with the samples to the QAM. QC personnel shall monitor the storage and conditions of the bolts to insure they remain in good well lubricated condition.	capacity testing (Rot-Cap) as per section 226	suppliers. The results of the VST shall be reviewed to insure the material passed the tests.
Verify daily Skidmore testing is performed IAW (in accordance with) proper procedures for each lot Note: NBW assembly may be reused after Skidmore testing in a connection if no defects are noted in visual inspection and the nut runs freely up the bolt for the full thread length - Only new NBW assemblies may be tested each day	VDOT 407.06(c)		Ea. Day & Ea. NBW lot (3 bolts per lot) used shall be Rot-Cap tested in the Skidmore device IAW proper procedures	Minimum three (3) NBW assemblies for each lot being installed shall be observed by the IA inspector	Three NBW assemblies from each lot shall be Rot-Cap tested at the QAMs lab independently each week during erection
Verify the installation crews are using proper installation procedures IAW specs. to tension the bolts	VDOT 407.06		Monitor ea. Crew (2-3 workers) during erection to insure proper technique (TOTN – turn-of-the-nut or DTI – direct tension indicating washers) is followed	NA	Monitor ea. Crew (2-3 workers) for a half dozen NBW assemblies once at the beginning of each four hour work period
Verify the bolted connections have been tensioned properly using statistical sampling frequency and a calibrated torque wrench	VDOT 407.06(c)4	ASTM 325	For each connection, test 10% or a minimum of 2 NBW assemblies verifying the required torque. Complete testing before the deck is formed.	Test 2 NBW assemblies in 25% of the slip critical connections (minimum of 2 connections per transverse line of splices) and 2 NBW assemblies in 10% of	Monitor all the torque testing for each main member connection (slip-critical connections) and at the beginning of each period where secondary members are being checked.

				the secondary member connections	
Rebar Splicer (Tension Test)		ASTM A615	1 sample per manufacturer per most common size per structure (Contractor is to install pieces)	NA	Verify Machine Calibration annually
Protective Coating of Metal Structures	VDOT Section 411		Contractor QC testing	VST	IA
Monitor surface preparation		SSPC-PA	Three surface profile measurements per day of blasting.	Review all reports showing the preparation protocols	Two (2) surface profile measurements per week of blasting.
check coating thickness according to SSPC -PA		SSPC-PA	Five(5) spot measurements (15 Readings) per day as defined in PA-2 for coating thickness after each layer of paint at each location	Review all reports showing-painting application rates including the tests performed on profiles and thicknesses.	One spot measurement (3 readings) as defined in PA-2 for coating thickness after each layer of paint at each location
Underdrains	VDOT Section 501				
Inspect to ensure no deficiencies		VTM 108	All accessible outlet locations; Additionally a minimum of 10% of longitudinal sections	One (1) every twenty-five (25) outlet locations. A minimum of one per project independent of IA.	Observe 10% of outlet locations; Additionally a minimum of 1% of longitudinal sections
Guardrail	VDOT Section 505				

Verify that guardrail is installed per specifications and at proper height			Daily	Spot-check every 50 linear feet for proper height	Spot-check every 500 linear feet for proper height.
Fencing	VDOT Section 507				
Verify fencing type, height and location		N/A	Daily	Weekly	
Barbed Wire	VDOT Section 242	ASTM A121	One sample every 50 rolls or spools	NA	NA
Chainlink Fence	VDOT Section 242	AASHTO M181	One sample from 3 rolls for every 50 rolls.	NA	NA
ROW Monuments	VDOT Section 503				
Verify monument type and location		N/A	10% of ROW monuments	1% of ROW monuments	
Maintenance of Traffic	VDOT Section 512				
Monitor installation and maintenance and use Work Zone Safety Checklist		N/A	Daily (Locality Inspector)	Weekly (Locality Project Manager)	
Sound Wall Barriers	VDOT Section 519				
Verify location and installation with shop drawings		N/A	Daily	Weekly	

Topsoil and Seeding	VDOT Section 602/603				
Verify proper material is utilized at application rates from plans		N/A	Daily	Weekly	
Traffic Signs	VDOT Section 512				
Verify that signs meeting current standards are utilized in locations per plans		N/A	Daily	Weekly	
Traffic Signals	VDOT Section 703				
Monitor installation for conformance with plans and specifications		N/A	Daily	Weekly	
Water and Sewer Facilities	VDOT Section 520				
Monitor installation for conformance with plans and specifications		N/A	Daily	Weekly	
Electrical and Signal Components	VDOT Section 238				
Tether Wire		ASTM A475	One sample per project	NA	NA
Span Wire		ASTM A475	One sample per project	NA	NA

Masonry	VDOT Section 202				
Wall Units			one sample consisting of 10 units per 10,000 units	NA	NA

- Verification testing shall be required if contractor's workforce performs QC testing that is used for Acceptance testing. If Locality or its consultant performs Acceptance testing, Verification testing shall not be required.
- IA testing shall be conducted by different personnel and different equipment than used for the QC/acceptance testing, QC/acceptance sampling or Verification testing.

13.3 CHANGE / WORK ORDERS

~~13.3.1 Introduction~~ 13.3.1 Applicability

~~13.3.2 Applicability~~ 13.3.2 Introduction

13.3.3 Change Orders - Summary

13.3.4 Change Order Approval Process

13.3.5 -Change Order Time Extensions

13.3.6 Change Order Pricing / Evaluation

13.3.7 ~~Quantity Measurements~~ Force Account Rates and Measurements for Labor, Equipment, and Materials

13.3.8 ~~Records for~~ Force Account

13.3.9 References

Chapter 13.3 - Change Orders Checklist

REFERENCES

23 CFR 635

§2.2-4309 of the Code Virginia

Construction Directive Memorandum– Contract Change Management CD-2010-1

13.3.1 Applicability

<u>Change Orders</u>		
<u>Federal aid</u>	<u>State aid / VDOT Maintained</u>	<u>State aid / LPA Maintained</u>
<u>X</u>	<u>*</u>	<u>*</u>

* State aid projects that require additional state funding or a design exception or waiver

Special Program Requirements are noted at the end of each section.

13.3.1-2 Introduction

A Change change Order order is a written addendum amendment to the construction contract that is developed during construction for the purpose of that formally establishes changes to the contract such as modifying pay items, changing contract prices, or changing contract time. — establishing an agreement between the contractor and the LPA to add, modify, or delete pay items, change contract price, change contract time, or change any other terms of the contract. There are two types of change orders:

- A Bilateral Change Order is mutually agreed upon by the LPA and the Contractor and is used when both parties agree on the cost and time impacts associated with the changed condition.
- A Unilateral Change Order is issued by the LPA to make a contract change when both parties cannot agree on the time and cost impacts.

The LPA must develop a process for managing change orders and include the process **within their contract documents for any federal aid project.**

The LPA must ensure~~Subsequently,~~ any change order ~~must~~ follows the process specified in their contract. The LPA shall notify the VDOT CPM when processing Gchange Ordersorders, as outlined below and obtain VDOT approval if identified

in this chapter. ~~For projects identified as PoDI (formerly full federal oversight), the VDOT ACE will provide the FHWA Area Engineer with the change order documentation and VDOT's recommendation for approval.~~ The LPA must receive VDOT and FHWA concurrence prior to executing the change order.

When applicable, the VDOT ACE will notify and receive concurrence from the Federal Highway Administration (FHWA) on federally funded projects prior to approving the change order.



It is not acceptable to use contracting methods such as alternate bids, speculative amounts, change orders, etc., as a replacement for complete and thorough design/investigations during project development.

13.3.2 Applicability

<i>Change Orders</i>		
<i>Federal aid</i>	<i>State aid / VDOT Maintained</i>	<i>State aid / LPA Maintained</i>
X	*	*

—* State aid projects that require additional state funding or a design exception or waiver

~~—Special Program Requirements are noted at the end of each section.~~

13.3.3 Change Orders – Summary

Change orders amend the contract by adding or deleting work, ~~making reimbursement for additional costs incurred, making material substitutions substituting materials, or, and~~ changing specifications. Additional work ~~Work may not be eligible for reimbursement if VDOT determines that it was~~ is not necessary to complete the project as originally intended ~~may not be eligible for reimbursement.~~

A change order may ~~be prepared and processed~~ appropriate for ~~any of~~ the following reasons:

- An increase or decrease in any of the contract pay items;

- ~~Changes in the work which were not originally delineated in the contract such as revised design considerations;~~
- The addition of a new or modified pay item required to complete the work in accordance with the contract;
- Changes caused by ~~outside agencies~~third parties such as government agencies, utility companies, railroads, etc.;
- Unforeseen conditions such as unknown underground utility or geotechnical conditions that differ from those identified in the contract documents
- Unforeseen environmental impacts such as encountering previously unidentified artifacts, burial grounds or hazardous waste/materials
- Payment adjustments due to contract provisions (such as asphalt, fuel and steel adjustments);
- Quantity changes to meet field conditions;
- Plan errors or omissions;
- Suspension of Work;
- ~~Final measurements/calculations~~Adjustments to quantities based on the final review of project records; and
- ~~Settlement of a dispute or claim resulting from any of the above reasons.~~

Change orders may only be processed when the contractor is contractually entitled to additional time and/or money due to a changed condition. Change orders are not allowed for the settlement of a dispute or claim without clear entitlement for all costs and time extensions.

The LPA must receive written approval from the VDOT CPM prior to executing any change order which:

- (1) Will result in the need for additional federal or state aid beyond the funding identified in the project administration agreement; or
- (2) Requires additional right-of-way, a design exception or design waiver; or
- (3) Is federal aid and requires additional time; or

- (4) Is federal aid and may result in work outside the project limits identified in environmental documentation (the NEPA documentation); or
- (5) When a previously approved pay-item is being removed or replaced.

Should the LPA direct the contractor to perform added work prior to approval by VDOT, reimbursement may be denied. When it is not reasonable to wait for a formal approval by VDOT due to emergencies or other site conditions, the LPA shall attempt to contact the VDOT CPM, the ~~District Construction Engineer~~ VDOT ACE, or other VDOT Construction representative to obtain verbal approval for the change order.

13.3.4 Change Order Approval Process

Conceptual Change Order Request



For non-emergency change orders that require prior written approval from VDOT, the LPA PM may submit a “conceptual change order request” to the VDOT ACE. This request helps ensure the proposed modification is allowable and reimbursable. ~~The conceptual change order request should~~ outlines the general nature and the justification for the anticipated change order. The VDOT ACE will provide comments regarding the contract change order request and outline any supporting documentation that will be required to obtain approval of the request (such as an independent cost estimate or schedule impact analysis). The LPA PM will ~~revise~~ take all comments into consideration ~~the change order accordingly~~ and ~~then~~ submits the final change order request along with any supporting documentation to the VDOT ACE.

Change Order Request

The final change order request will specify the associated costs and time impacts and will provide any additional information requested by VDOT during the conceptual change order review. The VDOT ACE will review and either:

- Concur with the request in writing
- Provide comments and request revision/resubmission, or

- Reject the change order request in writing

Additional information regarding the development of the required independenting ~~the~~ cost estimate may be found in Section 13.3.6 – Change Order

Pricing/Evaluation.

Additional information regarding time extensions and schedule impact analysis may be found in Section 13.3.5 – Change Order Time Extensions.

~~Change orders must sufficiently explain that the work is necessary, consistent with specifications, within the scope and intent of the LPA agreement, and has been approved by the ACE. If funding is added to cover approved change orders, VDOT will provide an updated agreement Appendix A to reflect the new allocation. The LPA is solely responsible for costs associated with change orders that are not approved or when additional federal/state funding is not available. If the change order is approved by VDOT and FHWA and federal or State funds are available beyond the finding identified in the Project Administration Agreement, the Agreement may be amended and reimbursement may be permitted. Funding of change orders not approved or for which no federal and/or State funds are available, is the sole responsibility of the LPA.~~

VDOT Responsibilities:

- *The VDOT CPM will notify the LPA PM, in writing of the approval or denial of the change order request. VDOT's review of Change order requests reviews, both conceptual and final, that do not require additional design or environmental evaluation, should generally take no longer five business days.*
- *For PoDI (formerly federal oversight) projects, the VDOT ~~CPM~~ ACE must coordinate and receive concurrence from the FHWA Area Engineer before the LPA can execute the change order.*

Note that the performance of ~~extra additional~~ work ~~or additional quantities of work~~ may warrant an extension of contract time (See Section 13.3.5). ~~Extensions of~~

~~contract time may result in additional direct project overhead cost. Once the need to perform extra work on a project has been identified, a basis of payment for this work must be established.~~

Special Program Requirements

Urban Construction Initiative (UCI)

Change order approval

UCI localities have the authority to approve change orders for non-federal oversight projects without VDOT approval. All documentation requirements must still be followed. Any work outside the approved NEPA footprint must be coordinated with the VDOT CPM prior to executing the change order. Any change order that will impact a DBE firm's planned work must be coordinated with District Civil Rights. If the construction phase estimate changes, the UCI locality must provide the VDOT with a revised estimate and justification.

Additional Funding

~~On some projects, it becomes necessary to account for unanticipated work after the project contract is let. This results in a change order, which in most cases results in an increase in contract price.~~ UCI localities ~~The municipality~~ must ensure that sufficient funding is available to cover any increased costs due to change orders. ~~If a change is needed in the federal agreement, the municipality must submit to the VDOT Project Coordinator an email identifying the additional amount needed and the justification for the increased amount. There may also be occasions when the municipality desires to transfer funds between active projects, which in turn may alter the project schedule as shown in the current SYIP. In these instances, the municipality must submit to the VDOT Project Coordinator the amount to be transferred between projects and new project schedule revisions. If additional funding is needed, the locality shall coordinate the request with the VDOT District Project Coordinator and CPM. Transfer requests are subject to the established special fund requirements.~~

~~The municipality also has authority to approve change orders for non-federal oversight projects. However, funding adjustments must be made to cover any additional costs.~~

13.3.5 Change Order Time Extensions

~~Before the LPA can consider In order to issue a change order for time additional contract time extensions, the Contractor must show demonstrate that there were changes in work that have or will impact the approved schedule for the project. that have been proposed by the Engineer. It should be demonstrated that the delay in question affected the overall project schedule and was a controlling operation with respect to project completion. Unforeseeable delays beyond the control of the contractor are excusable delays.~~

~~Excusable delays may either be compensable or non-compensable. Delays caused by the LPA, such as lack of site access, late approval of shop drawings, or plan errors may be compensable. Delays caused by third parties outside the LPA's or contractor's control such as floods, industry delays, fire and vandalism are non-compensable. Time extensions cannot be granted for inexcusable delays. Inexcusable delays such as subcontractor delay, late mobilization, longer than scheduled production, and equipment breakdowns are under the contractor's control.~~

~~Very often delays occur from various sources at the same time. These delays are known as concurrent delays. A LPA caused compensable delay that occurs at the same time as an excusable delay that is non-compensable should result in a non-compensable time extension. This process should be documented in the scheduling specification included in the contract. Additional construction scheduling information can be found on VDOT's scheduling website.~~

The Contractor shall submit for the ~~Engineer's~~ LPA-RCE's review and approval, a Schedule Impact Analysis (SIA) to determine the impact ~~of the change a~~

proposed changed condition will have on the project schedule. ~~A time extension may also be considered for time related impacts that are attributable to a cause beyond the control of and without the fault, negligence, or responsibility of the Contractor. The Contractor should provide a SIA and all available supporting data to substantiate the request for modification of the Contract. This process is documented in the scheduling specification included in the Contract, as well as VDOT's scheduling website (http://www.virginiadot.org/business/resources/const/0703_PrinciplesofSIA.pdf).~~

The contractor's SIA shall include a ~~SIA~~ schedule and a ~~written SIA statement~~narrative as well as all supporting data ~~and such information~~ necessary for the Locality LPA to make an adequate and timely evaluation of ~~any time-related~~the request ~~from the Contractor for modification of the Contract.~~ The SIA submission shall ~~consist~~ include of the following:

- An ~~SIA~~ schedule ~~which shall~~clearly depicting the ~~schedule~~ impact of the changed ~~in work or~~ condition or delay event ~~based has~~ on the ~~currently approved accepted Progress Schedule Update~~baseline schedule or most recently accepted schedule update including. The SIA schedule should show:
 - Added work, changed work or delay condition
 - ~~Current S~~status of ~~the~~ completed and on-going activities as of the date the changed in work was authorized or the changed condition was encountered
 - ~~The c~~Comparison ~~between of~~ the revised schedule resulting from the impacted~~Progress Schedule Update~~ and the most recently accepted Progress progress Schedule schedule update before the changed condition or additional work delay condition occurred
 - The overall impact ~~on to~~ the project's critical path
- ~~A written SIA statement to~~The narrative accompanying the schedule for the SIA must include:

- ~~Describe t~~Ihe type, cause and scope of the ~~added work~~, changed condition or delay event
- ~~Provide s~~Sequence and timing of events and/or actions involved by all parties relating to the change or delay
- Description of ~~events as well as identify~~ specific activities that are impacted and explanation of those impacts
- Description of impact on project's float and critical path
- ~~Identify a~~Actions taken and/or needed to avoid or mitigate the delay or the effects of the delay
-

The ~~Engineer should ensure that the~~ Contractor ~~has~~ must submitted all required documentation in order for the SIA to be considered for a time extension. Once all documentation has been submitted, the LPA-RCE should and begin a thorough review of the submitted documents and compare to project records and inspector documentation. ~~Approval or rejection of the SIA by the Engineer-LPA-RCE shall be made within ten business days after the receipt of the complete SIA, unless subsequent meetings and negotiations are necessary or as otherwise noted in the contract's scheduling specifications included in the contract. If the SIA~~ An approved SIA is deemed accurate and acceptable, upon approval by the Engineer, the Contractor shall be incorporated the SIA into the contractor's next progress schedule update. Progress Schedule and submit the impacted Progress Schedule as directed by the Engineer. If appropriate, the approved SIA would then be used to substantiate a request for time extension or time-related damages in accordance with Sections 104.02, 104.03, 105.08, 108.04, and 109.05 of the Specifications. In addition, the LPA and the contractor must executed a change order to contractually modify the contract completion as a result of an approved SIA.

13.3.6 Change Order Estimating, Pricing, /and /Evaluation

~~There are generally e~~ two types of pricing payment methods for extra work: ~~are usually~~ Agreed Unit Price or Force Account Price.

Agreed Unit Price is used when the scope of work for the change order is clearly defined and can be estimated by the LPA and contractor prior to the extra work beginning. ~~extra work can be broken down into measurable units. The number of units necessary to perform the work is estimated and a unit price determined and agreed upon. The agreed upon unit price should be a unit price already established in the contract or comparative pricing may be used. The LPA PM or the LPA's consultant may refer to VDOT's website of average bid prices to assist with this effort.~~

Change Order Independent Cost Estimation

The LPA is required to develop an independent cost estimate for all change orders with a clearly defined scope that will use an Agreed Price prior to receiving pricing from the contractor. ~~When creating a conceptual Change Order that includes cost, the LAP PM must develop an independent cost estimate to use as a final cost or point in negotiated cost with the Contractor. The Engineer~~ LPA-RCE ~~should develop this estimate by~~ developing an itemized breakdown of the work to be performed in terms of contract bid items or equivalents using:

- Estimated quantities and associated unit prices derived from the contract whenever possible,
- Estimated quantities and associated unit prices derived from bid histories for comparable projects with comparable quantities if the required bid items are not included in the contract (comparable rates for VDOT projects can be found using the Statewide Bid Tab Query, and/or
- Itemized cost breakdowns of work packages that utilize other industry resources when the use of estimated quantities and unit prices is not feasible.

Other industry resources may include R.S. Means and Equipment Watch Blue Book. ~~It should be noted that Blue Book rates are maximums. either using bid~~

~~histories for comparable projects with comparable quantities, if available, to develop unit prices or develop an itemized cost breakdown estimate using other industry resources.~~

Once the engineer has developed, signed and dated their estimate, they are ready to compare it to the ~~Contractor's~~ contractor's proposed prices. ~~VDOT rates can be found using the Statewide Bid Tab Query (http://stauntonapps/main/bridge/inside_vdot/bidtab_query2.asp).~~ Industry rates may be calculated using the Blue Book. ~~It should be noted that Blue Book rates are maximums.~~ The estimate should be an itemized breakdown of the work to be performed in terms of contract bid items or equivalents.

~~Per the Department's Construction Informational & Instructional Memorandum IIM-CD-2018-05.01, the cost of the change must be analyzed and justified.~~ If the ~~Contractor's~~ contractor's proposed unit total prices for the change order is ~~are~~ less than or equal to 110% of ~~VDOT's~~ the LPA-RCE's estimated prices, they are considered acceptable. ~~If the Contractor's proposed unit prices are~~ greater than 110%, then the ~~Engineer~~ LPA-RCE will need to discuss the differences with the Contractor.

Upon receiving the cost justification ~~provided from by~~ the ~~Contractor~~ contractor, the LPA-PM's review should include verification of the following, as applicable:

- Reasonable production rates
- Equipment rates are at or below the Blue Book
- Materials costs are justified by supplier quote(s) or representative invoice(s)
- Labor rates correspond to wages paid by the contractor

During discussions with the Contractor regarding cost impacts that are more than 110% of the independent cost estimate, the LPA-RCE may discover that the assumptions they used to determine the amount of work required to perform the

changed condition were inaccurate and resulted in an insufficient estimate. In these instances, the LPA-RCE may note the inaccurate assumptions and revise the estimate accordingly.

If the Contractor and LPA cannot agree on a price for the scope of work identified in the Change Order, then the LPA can execute a Unilateral Change Order in the amount of the estimate, or direct the contractor to proceed with the work while good faith efforts to negotiate a reasonable price continue. Directing the contractor to perform work without an executed bilateral Change Order will commonly result in the Contractor submitting a Notice of Intent to File Claim (NOI). In any case where additional work is being performed without an executed bilateral change order, actual costs incurred by the contractor (labor, equipment and material) must be tracked by the LPA on a daily basis.

Force Account ~~Price~~ is used when the scope of work for the change order is not clearly defined and cannot be estimated by the LPA and contractor prior to the extra work beginning. ~~work cannot be broken into measurable units or when a unit price cannot be agreed upon.~~ This method reimburses the contractor the actual costs of labor, equipment and materials incurred in the performance of the extra work including allowable overhead and markup. This method requires a significant amount of record keeping and is detailed in Section 13.3.8.

13.3.7 ~~Quantity Measurements~~ Force Account Rates and Measurements for Labor, Equipment, and Materials

~~The LPA PM shall record the measurements of the quantities of work in the units prescribed by the plan actually performed by the contractor.~~

Prior to commencing any work associated with the Force Account, the LPA and the contractor must agree upon rates for the labor, equipment, and materials.

This may be done utilizing VDOT Form C-115 (Contract Force Account Authorization). These rates must be approved by FHWA in advance for any projects that are considered Projects of Division Interest (PoDI). It is important to note that

issues of efficiency or other similar factors may arise that may impact unit costs when the quantities actually performed differ significantly from those shown in the plan. For these occurrences the contract unit price may be renegotiated as part of the change order.

Once Force Account work has commenced, daily records of all associated labor, equipment, and materials must be maintained by inspection staff reporting to the LPA. These records shall be compared and reconciled with the Contractor on a daily basis. This may be done utilizing VDOT Form C-116.

13.3.8 Records for Force Account

The records required for force accounts ~~pricing of extra work~~ must accurately depict all labor, equipment and materials used by the contractor to perform the work. ~~The Blue Book for heavy Highway Equipment costs with the VDOT procedure for establishing appropriate equipment costs shall be utilized as per the VDOT Road and Bridge Specifications.~~ The items that are necessary to record are shown below:

- Description of Work
- Contractor's Work Force
 - Employee Name
 - Classification
 - Hours Worked - Regular and Overtime
- Contractor Equipment
 - Type
 - Model
 - Age
 - Capacity

- Hours Worked
- Hours Idle
- Materials
 - Description
 - Quantity
 - Invoices

~~If the LPA and the Contractor are not in agreement on the amount to be paid for the work, the LPA Project Manager may set up a unit price or may require the work to be performed on a Force Account basis. This approach, however, must be utilized only as a last resort after all efforts to negotiate a change order with the contractor have been exhausted. Under Force Account provisions, the LPA pays up to allowable costs of the Contractor's equipment and labor necessary to do the work. The Contractor is compensated for the work on the basis of records kept by the Inspector and the invoices for materials.~~

Information provided to the VDOT CPM for review and approval concurrence of a Force Account Change Order should include:

- ~~___a-b~~ Brief but complete description of the extra work to be performed including the reasons it is necessary and the contractual entitlement for the contractor to be paid
- ~~___, a definite~~ Location of the force account work by station numbers
- ~~___, a~~ Listing of all anticipated classifications of labor and rate for each classification,
- ~~___ a~~ Listing of materials to be used and unit prices
- List and of all equipment to be used, ~~and agreed upon giving the weekly/ and hourly rates. (Note that the LPA-RCE The project manager must document any equipment not covered by the current "Blue Book" and which rates have been agreed upon based on prevailing area rates or those being paid by the Contractor contractor at the time of the authorization).~~ A statement is to be prepared which sets forth reasons for the extra work.

~~Force Account work is paid for in accordance with the Specifications. The LPA Project Manager should keep accurate daily records of the work as it is accomplished. At the end of each day the Contractor's representative and the Inspector should compare records of the work performed.~~

All ~~bills for~~ materials paid as part of the Force Account used must be properly supported by ~~copies of the~~ invoices ~~for the materials received on the job~~. Freight costs and taxes are considered to be part of the cost of the material used on Force Account work.

~~Payrolls for~~All labor paid as part of a on Force Account must be properly supported by payrolls that ~~work are required and must~~ show the name of the employee, job classification, the rate of pay actually paid by the Contractor, the dates on which the work was performed and the number of hours worked daily by each employee on Force Account.

~~Bills for~~All equipment used on ~~paid as part of a~~ Force Account must ~~show the be~~ properly supported by the number of hours each piece of equipment worked each day, the dates on which the work was performed and sufficient description of the equipment so that the rate of pay can be determined. At the conclusion of the extra work, the entire Force Account charge is to be summarized. The ~~Contractor~~ contractor must furnish invoices, payrolls, freight bills, etc. to support the charges immediately upon completion of the Force Account. The LPA is responsible for performing cost verification based on the supporting documentation. A final change order for the Force Account work shall be developed based on the verified costs incurred by the contractor. -

~~All documentation records are to be furnished to the LPA for final cost verification. Cost verification is to be part of the Final Review operation and should be accomplished immediately following the completion of each Force Account authorization. Verification of such costs is the responsibility of the LPA.~~

13.3.9 References


- [Change Orders Checklist](#)
- [23 CFR 635](#)
- [§2.2-4309 of the Code Virginia](#)
- [Construction Directive Memorandum – Contract Change Management IIM-CD-2018-05.01](#)

Chapter 13.3 Change Orders – Checklist

These checklists can be found in their entirety in the [VDOT online forms library](#)

CH 13.3 - Change Orders

A Change Order is a written addendum to the contract that is developed during construction for the purpose of establishing an agreement between the contractor and the LPA to add, modify, or delete pay items, contract time, or other terms of the contract.

<i>SUBMIT</i>	<i>COMPL</i>	<i>F</i>	<i>S-V</i>	<i>S-L</i>	<i>T-A</i>	<i>UCI</i>	<i>Requirement</i>	<i>Reference</i>	
								<i>LAP</i>	<i>Other</i>
	<input type="checkbox"/>	X	--	--	X	X*	LPA develops process for managing change orders and includes with contract documents	13.3.1	23CFR635.120
	<input type="checkbox"/>	X	--	--	X	X*	Force account reasons documented	13.3.7	23CFR635.120
	<input type="checkbox"/>	X	--	--	X	X*	Submit final change order (including cost analysis) / obtain approval / approvals documented	13.3.4	23CFR635.120
	<input type="checkbox"/>	X	--	--	X	X*	Extension in Project Times must be approved by VDOT and subject to FHWA concurrence	13.3.4	23CFR635.121

* The requirements of this chapter apply to projects developed as federal-aid regardless of maintenance responsibility.

13.4 CLAIMS AND NOTICES OF INTENT TO FILE CLAIMS

13.4.1 Introduction~~13.4.1 Applicability~~

~~13.4.2 Applicability~~**13.4.2 Introduction**

13.4.3 LPA's Claims Management Process

13.4.3.1 NOIs

13.4.3.2 CLAIMS

13.4.4 Who Can Make a Claim

13.4.5 Elements of a Claim

13.4.6 Types of Claims

13.4.7 Proof of Claim

13.4.8 Analyzing a Claim

13.4.9 Settling a Claim

13.4.10 Claims Avoidance~~Claims Avoidance~~

13.4.11 Local Government's Responsibilities / Submittals

13.4.12 VDOT Responsibilities / Approvals / Timeframes

13.4.13 References

Chapter 13.4 - **Claims Checklist**

13.4 CLAIMS AND NOTICEES OF INTENT TO FILE CLAIMS

13.4.21 Applicability

Any claim which will involve the utilization of federal or state aid.

13.4.12 Introduction

~~The LPA is subject to claims by the contractor who performs the work. The stated terms of the project between the LPA and the contractor exist in the contract, the specifications and the plans. There are certain terms that are not stated in the contract documents. These are known as implied terms. For instance, there is an implied warranty that the plans and specifications are free from defects and, unless stated otherwise, that there will be safe and continuous access to all areas within the project's boundaries. Claims arise from both stated and implied terms. A claim is a dispute between the LPA and the contractor based on the contractor's written request or demand for an adjustment to the contractor's compensation or to the contract time, for costs, expenses, or other damages, adjustment of the contract terms, or for any entitlement available under the contract, made within the time, in the form, and pursuant to the provisions for claims which must be specified in the contract documents.~~

Contractors can file claims against the LPA once the project is complete, provided that during construction, the contractor submits to the LPA a written Notice of Intent to File a Claim (NOI) in the time and manner required in the contract.

~~While VDOT must be informed of any claim that will utilize federal or state funds, VDOT is not a party to the claim.~~ If the LPA plans to utilize federal or state aid to resolve a claim, coordination with VDOT must be made in accordance with this chapter.

Special Program Requirements

Urban Construction Initiative

If a contractor ~~files a~~submits a notice of intent to file a claimNOI, the ~~municipality~~locality is responsible for attempting to resolve the matter before it results in an actual claim. If this is unsuccessful, the contractor has sixty (60) days after project completion to file the claim. VDOT will become involved only as requested by the locality and to the extent of determining the eligibility of any additional costs to the project and any changes in the federal funding participation. FHWA and VDOT approval is required before any settlement is reached with the contractor.

~~13.4.2 Applicability~~

- ~~Any claim which will involve the utilization of federal or state aid.~~

13.4.3 LPA's Claims Management Process (CMP)

A Claims Management Process (CMP), which provides a procedure for consideration of claims, must be contained in the contract or specifically incorporated into the contract by reference and made available to the contractor. The procedure must require submittal of NOIs, establish a time limit for submittal of claims, and establish a time limit for the LPA's written final decision on claims.

13.4.3.1 NOIs

The CMP must require the contractor to submit a written NOI to the LPA-PM at the time of the occurrence or prior to beginning any work on which the claim is based. The NOI must clearly state that it is a notice of intent to file a claim. The CMP must also provide that (i) failure to submit such notice of intent shall be a conclusive waiver to such claim for damages by the contractor; (ii) oral notice or oral statements recorded in meeting minutes will not be sufficient; and (iii) notice after the event will not be sufficient.

Each NOI submitted by the contractor should contain the following when applicable:

- A detailed statement of the facts upon which the NOI is based providing items of affected work and the date(s) on which the actions or events resulting in a possible claim occurred
- All pertinent data, documents, and correspondence that may substantiate the claim
- Identification of specific contract provisions that the LPA allegedly breached
- A detailed statement of the amount of actual costs for materials, labor, and equipment that may be sought in a claim

This notice requirement allows the LPA the opportunity to avoid or mitigate the potential claim situation and to begin keeping careful and specific records of the contractor's activities, labor, equipment, and materials that are related to the potential claim.

Upon receipt of an NOI, the LPA shall contact the VDOT ACE and provide them with a copy of the NOI. In addition, the LPA-PM should send a simple written response to the contractor acknowledging receipt the NOI within 5 days of the receiving the NOI. If the NOI lacks sufficient detail or supporting documentation, the LPA should include in its correspondence with the Contractor a request for any additional information that must be provided. The LPA should send copies of the NOI acknowledgement correspondence to the VDOT ACE and CPM. For information regarding claims, please refer to the VDOT Construction Claims Manual.

IMPORTANT NOTE: Upon receipt of an NOI or a claim, the LPA can reasonably expect litigation. Therefore, the LPA should mark all documents containing any opinions or analysis of the facts and matters at issue in the NOI or the claim as "*CONFIDENTIAL WORK PRODUCT*."

13.4.3.2 CLAIMS

The CMP procedure for claims should be similar to the process in § 2.2-4363(C) of the Code of Virginia. The CMP must (i) require that claims be submitted in writing no later than 60 days after final payment; (ii) establish a time limit for the LPA's final decision in writing on claims, typically 90 days; and (iii) and provide that a claim is deemed denied in the event that the LPA fails to issue a decision within the required time. The CMP must also require the contractor to certify its claim using a certification form similar to the one in Section 105.19 of the VDOT Road and Bridge Specifications.

The LPA's ~~Claims Management Process~~CMP ~~must meet the~~conform to the general framework and intent of VDOT's ~~Claims~~claims ~~Process~~process identified in Section 105.19 of the VDOT Road and Bridge Specification. The VDOT ~~Claims Management Process~~CMP requires VDOT to perform progressive administrative reviews of ~~a the~~ contractor's claim prior to ~~a the contractor~~ filing in ~~the Court of Claims~~Circuit Court. The review starts on recipient of an NOI at the project level then, on recipient of a claim, continues to the District level, Division level and executive level if the contractor is not satisfied by the results of each review. This process of progressive ~~By requiring~~ administrative reviews ~~beginning at the project level, has reduced the overall number of~~ construction contract claims received by VDOT or that go to court. ~~have been reduced. Additionally,~~ Likewise, a process for the fair hearing of a claim or dispute reduces a contractor's risk and ultimately results in more competitive bids.



It is required that the~~The~~ LPA must formalize a claims management process that includes a similar progressive administrative reviews in its CMP. ~~prior to formal legal action by the contractor or the LPA. The LPA's Claims Management Process must be prepared and approved by VDOT prior to contract award. Preferably, the Claims Management Process would be included in the LPA's bid documents.~~ Resolution of all claims must be made in accordance with ~~according to~~ the project's approved Claims Management

Process ~~and approved by the VDOT DCE or designee if the resolution affects the contract completion date and/or increases project costs.~~

13.4.4 Who Can Make a Claim

The only entity that may assert a claim against the LPA is the ~~legal~~ contractor ~~of record~~ who appears on the signed contract. If the project ~~is being~~ was performed by a joint venture, then only the joint venture may assert a claim. ~~A single party to the joint venture cannot assert a claim.~~ Likewise, a ~~Sub~~ sub-contractor may not assert a claim against the LPA, but may make a claim against the Prime contractor ~~who, in turn, may assert a claim against the LPA for damages incurred by the Sub-contractor.~~

13.4.5 Elements of a Claim

Every claim has two distinct elements, entitlement and damages. ~~Entitlement is the theory under contractual or legal basis on which the contractor asserts the claim.~~ Typically, a contract provision entitles the contractor to receive additional compensation and/or time to perform the work when specified circumstances occur. ~~The contractor must prove entitlement.~~ Examples may include:

- Changes – the contractor was required to perform work not shown on the plans or included in the contract scope of work
- Errors in the Plans and Specifications - are work not shown on plans, conflicting information in between the plans and specifications that caused changes, additional work or delays
- Third party delays – Events beyond the contractor's control that caused changes, additional work or delays
- Unforeseen Site eConditions: - subsurface or unknown site conditions different from those indicated in the plans or from those ordinarily encountered that changes, additional work or delays

To prove entitlement, the contractor is required to show that some LPA action, or some event or circumstance for which the LPA is responsible under the contract or law, impacted the contractor's costs and/or time for performance of the work. Entitlement also requires evidence that the contractor complied with the requirements applicable to the claim. For a delay claim, for example, this includes showing timely notice of delay, timely submittal of a schedule analysis demonstrating impacts to the critical path. Regardless of the type of claim, the contractor must always show that it submitted a timely written NOI.

Damages are the costs s and expenses impacts incurred by that the contractor incurs, which are over and above normal or planned costs for performing work on the project, and which are-were caused by the claim event. The common types of claimed costs include: (1) the costs of the extra, changed or impacted work, such as additional labor, materials and equipment; (2) field overhead; and (3) home office overhead. The contractor must prove damages and make a reasonable effort to mitigate damages. Mitigation might include re-sequencing, reducing, re-mobilizing or changing manpower.

Each claim must have both of these elements entitlement and damages. If a contractor encounters a situation where there would be an entitlement but incurs no monetary impact, there is no claim they do not have a valid claim. Likewise, a contractor may state that he has that incurred additional costs but cannot establish an entitlement, and then there is no claim does not have a valid claim.

13.4.6 Types of Claims

The contractor shall make a reasonable effort to mitigate damages. Mitigation might include re-sequencing, reducing, re-mobilizing or changing manpower. The contractor is entitled to recover the costs of mitigation. Certain types of disputes

~~by their nature may result in a claim.~~ Claims may be due to a wide variety of reasons including, but not limited to: plan discrepancies or omissions, allowable costs ~~in calculating~~ not included in change orders, unforeseen site conditions, significant quantity variations, extra work interferences, and delays. Delays require careful analysis to determine ~~who is the~~ responsible party and impact to the project's critical path. ~~The contractor must demonstrate that the delay was critical. It should be demonstrated that the delay in question affected the overall project schedule and was a controlling operation with respect to project completion. Delays that are unforeseeable and beyond the control of the contractor are excusable delays. Excusable delays may be either compensable or non-compensable. Delays caused by the LPA, such as lack of site access, late approval of shop drawing, and redesign, may be compensable. Delays caused by third parties outside the contractor's control, such as floods, transportation industry delays, fire and vandalism may be non-compensable. Inexcusable delays are always non-compensable. These delays, such as Sub-contractor delay, late mobilization, production longer than scheduled, and equipment breakdowns are caused by the contractor or under his control. Very often delays may occur from various sources at the same time. These delays are known as concurrent delays. The LPA caused compensable delay occurring at the same time as an excusable delay that is non-compensable should result in a time extension but no recovery of costs. The LPA caused delay occurring at the same time as a contractor delay should result in a time extension but no recovery of costs. Both cases relieve the contractor from liquidated damages for the time in question. The contractor is entitled to plan and pursue the work in order to finish ahead of the contract completion date. If the LPA delays the contractor, the contractor may be entitled to impact costs.~~

13.4.7 Proof of Claim

Proof of entitlement and proof that additional costs were incurred (damages) rests solely with the contractor. The contractor must certify that its claim is a true and

accurate representation of additional costs, expenses, damages and/or delays that the contractor incurred in the performance of the required contract work.

The contractor should notify the LPA through the PM of each instance where there is intent to file a claim. This notice requirement allows the LPA the opportunity to mitigate the claim situation and to begin to keep careful and specific records of the contractor's activities, manpower, equipment and materials that are related to the claim.

13.4.8 Analyzing a Claim

~~The process by which a Notice of Intent to File a Claim (NOI) can be submitted is addressed in detail in Section 105.19 of the 2016 VDOT Road and Bridge Specifications. Early or prior knowledge by the Locality or Department of an existing or impending claim for damages could alter the plans, scheduling, or other Locality or Department action or result in mitigation or elimination of the basis for the claim. The Contractor shall submit in writing, the actions or omission by the Locality or Department that allegedly caused damage to the Contractor and the nature of such damage. The NOI should be submitted at each and every occurrence that the Contractor believes to be the basis of a claim, prior to the beginning of the work.~~

~~An NOI submitted by the Contractor should contain the following when applicable:~~

- ~~• A detailed statement of the facts upon which the claim is based providing items of affected work and the date(s) on which the actions or events resulting in a possible claim occurred~~
- ~~• All pertinent data, documents and correspondence that may substantiate the claim~~
- ~~• Identification of provisions that the Locality allegedly breached~~
- ~~• A detailed statement of the amount of actual costs for materials, labor, and equipment sought in the claim~~

~~Upon receipt of an NOI, the Locality shall contact the VDOT ACE. Acknowledgement should be made to the Contractor within 5 days of the receipt of an NOI. If the NOI lacks sufficient detail, the Contractor should be advised of any additional information that must be provided. The NOI Acknowledgement will be distributed to the VDOT DCE, DA, Office of Attorney General and Central Office Construction Division. Please refer to the VDOT Construction Claims Manual (<http://www.viriniadot.org/business/resources/const/ClaimsManual.pdf>) for more in-depth information.~~

Upon receipt of a claim, To analyze a claim, the LPA should perform the following steps analysis should be taken:

1. Determine whether there is any the element of Entitlement

- Was the claim and required NOI submitted to the LPA in writing within the required time? ~~filed timely and was the LPA given the required notice?~~
- What is the Identify the contractor's position:?
- What doesDo the contract plan and specifications address the issue or subject of a claim? If so, do they entitle the contractor to compensation, time or other relief request? –Has the contractor satisfied the requirements necessary for entitlement, such as giving timely notice? ssay about it?
- What How do the other -contract documents sayaddress the issue or subject of the claim?
- What happened on the project regarding the claim according to the inspector's daily diaries, schedules, project photos, correspondence, meeting minutes, and other project records?
- What caused the circumstances or Determine the actual conditions giving rise to the claim:?
- ~~Identify each specific claim issue. What is the position of both sides on each issue?~~

If the claim includes delay, was the delay excusable or non-excusable? Was there a concurrent delay? Should a time extension be considered compensable or non compensable?

- ~~Identify responsibility. If delay related, is it excusable vs. non-excusable, compensable or is there an issue of concurrent delay?~~
- ~~Was there actually an impact?~~

At this point of the analysis if there is no entitlement, then there the claim does not have merit and should be denied. ~~is no claim.~~ If there is entitlement, then ~~continue on:-~~

2. Determine the element amount of Ddamages

(a) Costs as a result of impacts to the work:

- Are the costs that the contractor is claiming based on actual or reasonable estimates of costs for labor, materials or equipment that the contractor incurred as a result of the event on which the claim was based?
- Do the materials, labor, and equipment identified by the contractor as being associated with the claim match the LPA's project records of the labor and equipment assigned to the project?

(b) Costs as a result of impacts to the schedule:

- The claimed delay must be excusable and compensable. Is the claimed delay caused by or due to circumstances within the LPA's control, or a delay that is compensable according to the contract?
- If the contractor is entitled to a compensable time extension, are the costs that the contractor is claiming based on actual or reasonable estimates of costs for labor or equipment that the contractor incurred as a result of the delay?

- Do the labor and equipment costs identified by the contractor in its delay claim match the LPA's project records of the labor and equipment assigned to the project? Is the claim for labor costs limited to salaried personnel? Is the claim for equipment costs based on rental tickets for rented equipment, or idle equipment rates for contractor-owned equipment?
- If the contractor is claiming field office overhead costs, was the contractor unable to continue working during the delay? If so, has the contractor provided documentation to support its calculation of these costs?
- If the contractor is claiming home office overhead costs, was work on the project suspended during the delay? If so, has the contractor calculated the costs properly using the Eichleay formula or similar method of calculation? Has the contractor provided documentation to support its calculation of these costs?
- If the contractor is entitled to a time extension, what is the amount of liquidated damages and/or disincentives that were charged that need to be returned to the contractor?

- ~~Review the contractor's cost~~
- ~~Compare with the LPA records~~
- ~~Analyze the damages~~

At this point in the analysis, if the contractor did not incur any damages, then the claim does not have merit and should be denied.

13.4.9 Settling a Claim

After performing the progressive administrative review outlined in the Claims Management Process, if the LPA concludes that the contractor's claim has entitlement and that the contractor incurred damages, then the LPA may want to try to settle the claim. In such event, LPA-PM must notify the VDOT CPM before settling the claim with the contractor. VDOT will become involved only as requested by the locality and to the extent necessary to determine whether

any additional costs to the project associated with the settlement will be eligible for reimbursement. The settlement will only be considered for reimbursement if VDOT (and FHWA if applicable) approves the settlement amount before it is formally reached with the contractor.

13.4.910 — Claims Avoidance

The number of claims on a project can be reduced ~~avoidance of claims is best affected~~ by proper contract management practices. ~~The LPA can help prevent claims~~ by practicing the following activities:

During development of the project and prior to advertisement:

- Performing thorough constructability reviews of the plans, biddability reviews of the contract documents, and risk management reviews;
- Requiring the prequalification of Contractors to bid on the project;

b. During the project,

- Holding pre-bid meetings, pre-construction meetings, and monthly or twice monthly progress meetings, and recording the minutes of such meetings;
- Enforcing the submittal of accurate, contract-compliant project schedules and promptly reviewing and responding to them;
- Promptly answering Requests for Information;
- Promptly reviewing and responding to submittals;
- Documenting any deficiencies in the work or the contractor's non-compliance with contract requirements;
- Promptly resolving and issuing Change Orders, unilaterally if necessary;
- Utilizing qualified, competent, and experienced project managers and inspectors;
- Preparing and maintaining organized and detailed project records, including correspondence, daily diaries and project photos, especially when the contractor is not performing the work in accordance with the contract and/or the accepted schedule, or the contractor has submitted a notice of delay, notice of differing site condition, or NOI; and

- Always acting in a business-like, professional, courteous, and objective manner when dealing with the contractor, no matter how the contractor is acting.

- Constructability Reviews;
Prequalification of Contractors;
Proper Scheduling;
Prompt Resolution of Change Orders;
Pre-bid and Pre-con Meetings; and
Partnering.

13.4.10-11 Local Government Responsibilities / Submittals

The LPA-PM will notify the VDOT CPM if a contractor files a notice of intent to file a claim during the project.

The LPA-PM will advise the VDOT CPM if a contractor files a claim at the completion of the project.

The LPA-PM will notify VDOT if it believes a claim has entitlement and the contractor incurred damages.

The LPA-PM will advise the VDOT CPM of the resolution of the claim.

13.4.124 VDOT Responsibilities / Approvals / Timeframes

No VDOT approvals required.

For Federally funded projects on the NHS, the VDOT ACE or VDOT CPM will inform the Construction ~~division~~ Division so that they can advise FHWA of the claim.

The VDOT CPM or ACE will ensure that the project is not closed until all claims have been resolved.

13.4.1~~32~~ References


- ~~§ 33.2-1101 Code of Virginia~~
- ~~§ 2.2-4363 Code of Virginia~~
- ~~Section 105.19, VDOT Road and Bridge Specifications~~
- ~~23 CFR 635.124 – Participation in Contract Claim Awards and Settlements~~
- ~~23 CFR 630 Subpart J - Work Zone Safety and Mobility~~
- ~~23CFR 635.105 – Supervising Agency~~
- ~~29 CFR 1926 – Safety and Health Regulations for Construction~~

Chapter 13.4 - Claims Checklist

These checklists can be found in their entirety in the [VDOT on line forms library](#)

CH 13.4 - Claims

A claim is a dispute between the LPA and the contractor. While VDOT must be informed of any claim, VDOT is not a party to the claim. If the LPA plans to utilize federal or state aid to resolve a claim, coordination with VDOT must be made in accordance with this chapter.

<i>SUBMIT</i>	<i>COMPL</i>	<i>F</i>	<i>S-V</i>	<i>S-L</i>	<i>T-A</i>	<i>UCI</i>	<i>Requirement</i>	<i>Reference</i> <i>LAP Other</i>	
	<input type="checkbox"/>	x	x	--	x	x	The LPA's Claims Management Process prepared and approved by VDOT prior to contract award	13.4.3	
-	<input type="checkbox"/>	<u>x</u>	<u>x</u>	<u>X</u>	<u>x</u>	<u>x</u>	<u>LPA notifies VDOT if contractor submits a Notice of Intent (NOI) to file a claim which may involve state or federal funds</u>	<u>13.4.8</u>	-
	<input type="checkbox"/>	<u>x</u>	<u>x</u>	<u>X</u>	<u>x</u>	<u>x</u>	<u>LPA notifies VDOT if contractor submits a claim which may involve state or federal funds</u>		
	<input type="checkbox"/>	x	x	-- <u>X</u>	x	x	Project shall remain open until all claims are resolved	13.4.11	